National Library of Canada
Bibliothèque nationale du Canada

Canadian Theses Service
Service des thèses canadiennes

Ottawa, Canada
K1A 0N4

NOTICE

The quality of this microform is heavily dependent upon the quality of the original thesis submitted for microfilming. Every effort has been made to ensure the highest quality of reproduction possible.

If pages are missing, contact the university which granted the degree.

Some pages may have indistinct print especially if the original pages were typed with a poor typewriter ribbon or if the university sent us an inferior photocopy.

Reproduction in full or in part of this microform is governed by the Canadian Copyright Act, R.S.C. 1970, c. C-30, and subsequent amendments.

AVIS

La qualité de cette microforme dépend grandement de la qualité de la thèse soumise au microfilmage. Nous avons tout fait pour assurer une qualité supérieure de reproduction.

S'il manque des pages, veuillez communiquer avec l'université qui a conféré le grade.

La qualité d'impression de certaines pages peut laisser à désirer, surtout si les pages originales ont été dactylographiées à l'aide d'un ruban usé ou si l'université nous a fait parvenir une photocopie de qualité inférieure.

La reproduction, même partielle, de cette microforme est soumise à la Loi canadienne sur le droit d'auteur, SRC 1970, c. C-30, et ses amendements subséquents.

NL-339 (r. 88/04) c

Canada

National Library
of Canada

Bibliothèque nationale
du Canada

Canadian Theses Service

Service des thèses canadiennes

Ottawa, Canada
K1A 0N4

The author has granted an irrevocable non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of his/her thesis by any means and in any form or format, making this thesis available to interested persons.

L'auteur a accordé une licence irrévocable et non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de sa thèse de quelque manière et sous quelque forme que ce soit pour mettre des exemplaires de cette thèse à la disposition des personnes intéressées.

The author retains ownership of the copyright in his/her thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without his/her permission.

L'auteur conserve la propriété du droit d'auteur qui protège sa thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

ISBN 0-315-55453-3

Canada

THE UNIVERSITY OF ALBERTA

FRANCIS HINCKS AND THE POLITICS OF INTEREST,
1831 - 1854

BY

GEORGE A. DAVISON

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES AND RESEARCH
IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE
OF DOCTOR OF PHILOSOPHY

DEPARTMENT OF HISTORY

EDMONTON, ALBERTA

FALL, 1989

THE UNIVERSITY OF ALBERTA

RELEASE FORM

NAME OF AUTHOR: GEORGE A. DAVISON

TITLE OF THESIS: FRANCIS HINCKS AND THE POLITICS OF INTEREST, 1831-1854

DEGREE: DOCTOR OF PHILOSOPHY

YEAR THIS DEGREE GRANTED: 1989

Permission is hereby granted to THE UNIVERSITY OF ALBERTA LIBRARY to reproduce single copies of this thesis and to lend or sell such copies for private, scholarly or scientific research purposes only.

The author reserves other publication rights, and neither the thesis nor extensive extracts from it may be printed or otherwise reproduced without the author's written permission.

George A. Davison

316-3868 Shelbourne St.
(Student's permanent address)
Victoria, B.C. V[illegible] 5J1

Date: May 13, 1989.

THE UNIVERSITY OF ALBERTA

FACULTY OF GRADUATE STUDIES AND RESEARCH

The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies and Research for acceptance, a thesis entitled FRANCIS HINCKS AND THE POLITICS OF INTEREST, 1831 - 1854

submitted by GEORGE A. DAVISON

in partial fulfilment of the requirements for the degree of DOCTOR OF PHILOSOPHY

Doug Owram
Dr. Douglas Owram

David Mills
Dr. David Mills

Dr. Philip Lawson

J. Lightbody
Dr. James Lightbody

J. K. Johnson

Date: May 13, 1989

DEDICATION

To my parents, who will be as relieved as I am when this is done.

ABSTRACT

In response to the mostly negative historiographical treatment of Francis Hincks, and the marginal place he has been accorded in pre-Confederation Canadian history, this thesis focuses on the politics of interest from the 1830s to the 1850s, to show how Hincks affected the economic and political development of Canada. Hincks must be understood in the context of his times: he was part of a continuous line in which party and interest groups combined to promote economic development. He was a practictioner of the politics of interest, which consists of the use of patronage on an individual level, as well as government policy on a broader level, designed to attract the support of businessmen who were concerned with provincial development. He first pushed the Reform party to adjust quickly to the post-rebellion, post-Family Compact political reality. He brought moderate Reformers and French Canadians into the power structure, using the Union and responsible government to displace the previous Tory elite with a broader group of "liberal-conservative" businessmen-politicians. When he faltered after fifteen years at or near the apex of political power, because of a seeming lack of ideology and a proclivity for arousing charges of corruption, he passed the mantle to Sir Allan MacNab and John A. Macdonald, thus assuring an extended life for interest politics. Hincks can therefore be seen as a bridge between early and later political arrangements.

This thesis links the themes of political and economic development to illustrate Hincks' unique role in United Canada. It examines Hincks' part in developing the province, focusing on the economic issues of the 1840s, and railways and reciprocity in the 1850s. It also studies Hincks and party development from the Reform alliance with LaFontaine, through the two LaFontaine-Baldwin ministries and the Hincks-Morin ministry, to the coalition of 1854. This theme involves the link between French and English Canada, the roles of party newspapers and patronage, and the effects of the scandals of the early 1850s, all of which are important in Hincks' attempt to build and strengthen the Reform party. It concludes that Hincks' role, and the politics of interest, cannot be ignored.

ACKNOWLEGEMENTS

In any study that takes a number of years to complete, a number of debts are incurred and a great many people deserve mention. I would first like to thank my family and friends, who have been more than patient, who have not questioned my obsession, and whose support has carried me through good times and bad.

This thesis came out of graduate work at Carleton University under the direction of the late Professor G.P. Browne, who suggested I focus on the politics of interest in a study of United Canada, one that would center on the role of Francis Hincks. His courses, both at the undergraduate and graduate levels, encouraged me to undertake a career in history.

Though I spent four enjoyable years in the Ph.D. program in Hamilton, I was happy to leave and begin my teaching career in Edmonton. After two years there, and a year in Toronto working on the thesis, I taught a summer course at McGill. I wish to thank Stephen Randall and John H. Thompson of that university, both of whom restored my faith in the historical profession at a difficult time. I would also like to thank the people at the University of Alberta - Doug Owram, David Mills, Phil Lawson, Brian Beaven, and especially Joanne Stiles - they offered generous help in the completion of an early draft, and much-appreciated support. Thanks, too, to those at Keyano College who offered me a job at a time when I needed one, and who made my year at Fort McMurray most enjoyable.

Finally, I would like to give special thanks to my supervisor, Doug Owram, and the History Department at the University of Alberta, for making possible the completion of this thesis. They took a chance and I hope I have not disappointed them. Kathryn Ivany provided valuable editorial help, and the University of Victoria's History Department provided computer funds and a congenial atmosphere to finish the work. To all of them, I am deeply grateful.

CONTENTS

Dedication iv

Abstract v

Acknowlegements vii

Chapter I: Introduction 1

Chapter II: The Apprenticeship of Francis Hincks 30

Chapter III: Hincks as Businessman-Politician, 1831-54 81

Chapter IV: Hincks and the Railroad Interests 127

Chapter V: The Victory and the Wait, 1848-51 179

Chapter VI: Hincks and the Power of Interest, 1851-54 221

Chapter VII: Patronage and the Politics of Interest 264

Chapter VIII: Hincks and the Scandals, 1852-55 314

Chapter IX: A Coalition of Interest 359

Chapter X: Conclusion 397

Bibliography 407

Chapter I

INTRODUCTION

Francis Hincks was a product of his age. He cannot be understood by applying later standards of conduct to his activities in the mid-nineteenth century. In fact, Hincks was part of a continuous line in which party and interest groups combined to promote economic development. He was a practitioner of the politics of interest, and his achievement was that he pushed the Reform party to adjust quickly to the post-rebellion, post-Family Compact political reality. He brought moderate Reformers and French Canadians into the power structure, using the Union and responsible government to displace the previous Tory elite with a broader group of "liberal-conservative" businessmen-politicians. When he faltered after fifteen years at or near the apex of political power, because of a seeming lack of ideology and a proclivity for arousing charges of corruption, he passed the mantle to Sir Allan MacNab and John A. Macdonald, thus assuring an extended life for interest politics. Hincks can therefore be seen as a bridge between early and later political arrangements rather than as an unknown non-entity or the chief element in the corruption of the Canadian political system.

The Union period has been covered in considerable detail; yet insufficient emphasis has been given to the role of Francis Hincks and the type of interest-oriented politics practiced by the Reformers before the coalition of 1854. Scholars have concentrated on the three main themes of the Union: political development, French-English relations, and economic development. Only recently have they begun to examine the type of politician who used the new system to promote party and provincial development. While Robert Baldwin may be remembered as the "Father of Responsible Government" and L.H. LaFontaine as the moderate successor of L.J. Papineau, Francis Hincks, referred to by many as "The Emperor", transformed the theory of responsible government into a practical system for the new governing power, the businessman-politician. Hincks came to epitomize this group, first from his position in the Reform party, but later extending outwards to encompass like-minded Conservatives, thus setting the pattern for Canadian politics for the rest of the century and beyond.

This thesis will link the themes of political and economic development to illustrate Hincks' unique role in United Canada. It will examine Hincks' part in developing the province, focusing on the economic issues of the 1840s, and railways and reciprocity in the 1850s. Second, it will study Hincks and party development from the Reform alliance with LaFontaine to the coalition of 1854. This theme involves the link between French and English Canada, and the roles of party newspapers and patronage, all of which are important in Hincks' attempt to build and strengthen the Reform party.

I contend that the ministry led by Francis Hincks was held together not primarily by its moderation in the face of the extremes, but by what I call the "interest factor" or the "politics of interest". As will be shown later in this chapter, it consists of the use of patronage on an individual level, as well as government policy on a broader level, to attract the support of businessmen who were concerned with provincial development. Hincks was responsible for orienting the Reform party and Canadian politics in this direction; the alliance of 1854 simply continued his policies. The second part of my argument stems from the fact that economics and politics were closely linked. One need look no further than Upper Canada's Family Compact to see how conservatism went hand-in-hand with economic interest. However, the new arrangement of 1841 and the achievement of responsible government in 1848 meant that some readjustment was needed. Business cut across political lines, particularly after the annexation crisis of 1849, and even more so during the expansionist and materialistic atmosphere of the early 1850s. The post-1848 age was also dominated by politicians who were unabashedly business-minded. The Liberal-Conservative coalition of 1854, rather than being a new party of the right, was just another vehicle for the "politics of interest." The leadership was not even new: MacNab and Morin were direct offspring of the marriage of railways and politics that Hincks engineered in 1849. Francis Hincks was thus the progenitor of the essential nature of the Macdonald-Cartier dynasty. In such an interpretation, ideological debates were subsumed by interest politics.

The best way to place Hincks in the context of his times and explain his contribution to Canadian political and economic development before 1855 is a thematic-chronological approach. Hincks must be seen as a businessman-politician who came to lead a group of commercially-minded men in politics. Rather than simply document the events of his first prolonged stay in Canada, from 1831 to 1855, his early career can be separated from his active role as MP and minister in a newly responsible system of government after 1848. Just as an examination of his role in provincial development can be broken into non-railway and railway themes, his political career can be split into periods when he was subordinate, from 1848 to 1851, and when he was in control, from 1851 to 1854. And just as Hincks' role in railway development requires separate treatment, so does his use of patronge to build the Reform party and the scandals that made him a "governmental impossibility" in 1854. Finally, an examination of the political manoeuverings of 1854 will reassess Hincks' role in the formation of the Liberal-Conservative coalition.

Hincks has been called many things, from Gustavus Myers' characterization of a scheming, grasping, corrupt politician, to Michael Bliss' comment that he was "arguably the most important business mind in Canadian political history."[1] Hincks' career certainly had its negative aspects, and, until recently, those have coloured the significance of his achievements. This thesis is not an apology for his actions, but it is an attempt to better understand the vital role Hincks played in the political and economic development of United Canada.

Hincks arrived in Canada in the early 1830s, attracted by its business opportunities. These were years of political turmoil: S.F. Wise, Gerald Craig, and more recently, Paul Romney, have described the constitutional structure and political reality that led to conflict between the ruling Family Compact and the Reformers, and eventually to rebellion.[2] Hincks straddled the moderate and radical camps. His connection with the Baldwins placed him in the former group, though he was labelled a radical. For instance, in 1837 his position in the People's Bank led some to think that his sympathies were with the rebels. Despite the temporary dejection he and most other Reformers experienced after the rebellion, shown by the attempt to relocate in Iowa, Hincks threw himself into the campaign to convince Upper Canadians (in the Examiner) and British officials (through Lord Durham) of the merits of responsible government. Further, Hincks took the initiative in establishing a united Reform party, convincing both the reluctant Reform leadership in Upper Canada (Baldwin) and the French Canadians around Louis LaFontaine and A.N. Morin that a united party was the only way to secure responsible government. This achievement has been documented by historians from Chester Martin to Jacques Monet,[3] but Hincks was concerned with more than the constitutional principle. He sought a practical way of securing political power, and then keeping it.

If Baldwin was a one-issue politician - the Father of Responsible Government[4]- Hincks was not. Hincks transformed the theory of responsible government into a practical system that continued the marriage which existed under the old Family Compact between party and economic development. However, he introduced two new elements to that marriage. The first was the replacement of the Tory governing interest with a Reform one. This change is more significant than it might seem, though it requires careful definition. By Reform, I do not mean "popular" or "democratic", but a party whose base was fairly broad and middle-of-the-road, one that could encompass a variety of political views. One must take into account Lord Elgin's 1851 description of Baldwin as "the most conservative public man in U. Canada" and the fact that Hincks joined John A. Macdonald's government in 1869. Hincks, along with LaFontaine and Baldwin, brought in a system of government that was a marked contrast to the narrowly exclusive, Anglican, pre-rebellion cliques who dominated provincial life. Their Reform party built on the administrative reforms of Lord Sydenham, but opened up the system to French Canadians and other previously excluded groups who rallied round the idea of responsible government, which brought local autonomy to the province. The rise of the Reform party can be attributed largely to Hincks, who sought to foster and strengthen it through a sytem of party newspapers and patronage.[5] The tactics may have been similar to those of the Tories, but the effect was the creation of a real two-party system.

Second, though related to the first, was what Hincks called "the battle of the middle classes against the aristocracy."[6] Though the Tory elite was discredited by Durham, who cited its activities as one of the major causes of the rebellion, it did not disappear immediately. As Wise has shown, the Tories had a well-entrenched system of central and local elites, were supported by businessmen and religious groups, and had a very effective electoral machine. In addition, Carol Wilton-Siegel has shown how local Conservatives pushed bureaucratic reforms in an effort to prolong the life of the Tory coalition, and sought to limit the power of the central elite after the rebellion.[7] Hincks was certainly aware of the formidable nature of the Tory coalition, and witnessed its successes before the rebellion and during the early years of the union. He was quite concerned with election strategy throughout his career, and he sought to encourage the right kind of candidate to run for office. He was a businessman, and naturally enough, sympathized with business aims and was comfortable with business methods and morality. Thus, he brought businessmen as a group from the periphery to the center of politics, and by the time he left the Canadian scene in 1855 there was no doubt that businessmen-politicians were the new governing interest. Hincks worked to bring businessmen, an interest group, into the Reform party by encouraging provincial development and devising policies to foster growth; later, he sought to encompass like-minded Conservatives in the business-based Reform coalition, thus paving the way for the Liberal-Conservative party's dominance for most of the rest of the century. The Reform party at mid-century was no longer an ideological party, though some wished it to remain so- it was the party of development, as well as the party around which a consensus was developing. At the same time, the Conservative party had shed most of its ideology - the process had begun with William Draper, but moved ahead with Allan MacNab (particularly after 1849), and with John A. Macdonald's growing influence.

Though Hincks has been credited with bringing together English and French Canadian Reformers at the beginning of the Union period, I contend that his later role in forging the Liberal-Conservative coalition is just as important, if not more so. Politics in the mid-nineteenth century were not quite as simple or regulated as they are today. Party was a pejorative term into the 1830s, and for some well into the 1840s. Individuals regarded themselves as independent members and party discipline was much weaker than it later became. The Reform party, rather than a small group of individuals, only started meeting as a party after 1841, and leaders like Baldwin and Hincks had to be particularly nimble to balance the various interests and personalities. Hincks probably had the more difficult task. As a prominent minister, then premier, he was always involved in cabinet-making (dismissing or appointing colleagues), and in 1851 he managed to outmanoeuver the old guard, Baldwin and LaFontaine, as well as the radical Clear Grits. The former were pushed into retirement; the latter split, with older radicals like John Rolph and Malcolm Cameron co-opted, while younger ones like William McDougall and Charles Clarke remained outside, increasingly looking to George Brown. Hincks' role during the crisis of 1854 has usually been forgotten, and he is dismissed as having no influence because of the position he was put in as a result of the charges of scandal and corruption. Nevertheless, it was a close-run race. Hincks lost the speakership by only three votes in a House just enlarged to 130 from 84, and neither side was sure which way the result would go. After the loss, Hincks' behind-the-scenes actions controlled the negotiations between MacNab, whose affinity with Hincks went back quite a few years, and Hincks' colleagues from both sections of the province. George Brown was convinced that the MacNab-Morin ministry would, "Under Mr. Hincks's auspices...be a railway Government", and a corrupt one at that.[8] Again, Hincks appealed to political interests: the Conservatives did not have enough support to govern by themselves, and most French Canadians did not want anything to do with Brown and the Clear Grits. Hincks engineered a compromise whereby the Conservatives agreed to support the old ministry's policies on secularization of the clergy reserves and abolition of seigneurial tenure - on development matters like railways there was general agreement anyway. Hincks had been saying for years that the Union could only be saved by new combinations working with the French Canadians and he delivered that promise in 1854.

There are at least five conceptual tools that can be used in a study of Hincks' political and economic activities. Interest, class, status, ethnicity and religion are all important concepts that have a bearing on such a study, and provide the overall context within which various themes can be examined. The most important tool is the concept of interest. Hincks, like other politicians before and after him, was most concerned with the politics of interest: he had no great principles, nor a strong sense of ideological mission.[9] In its crudest form, this concept simply entailed advancing, in material terms, himself, his family and friends, his party and his country. A cynical opponent might agree with this order of priority; Hincks would have said that his principles were in the reverse order. More broadly, the thesis will argue that Hincks used public policy and patronage to weld the Reformers into a prominent political force, and to create a climate in which Reformers, and later Conservatives, could work together in promoting the economic well-being of the province.

Interest politics has been part of the historical lexicon since the early twentieth century, and particularly since the 1950s. Sir Lewis Namier's work on eighteenth century politics focused on parliamentary interests and family ties, though according to Michael Kammen, these "correspond neither with our own understanding of interest groups nor with the considerable numbers of such groups that were active in eighteenth-century politics." Namier's "family-oriented electoral and parliamentary interests" might more properly be labelled factions. But Kammen argued that "interest groups constantly existed" in the eighteenth century, whether they were in manifest or latent form, articulate or inarticulate, or formally or informally organized. In addition, he argued, some interests had only influence while others had 'real political power', and many interests were not monolithic, but comprised different attitudes and goals.[10] Kammen thought that the clash of interests, which he saw fundamentally in mercantilist terms, created economic and political conflicts in the eighteenth century. In essence, the fight over the Navigation Acts and other British policies led to the American Revolution.

Though Kammen's argument is now outdated, he examined the operation of the politics of interest from the period before 1660, through the imperial crisis brought on by the waning North American interest, to the post-1783 era when William Pitt reasserted the politicians' dominance over interest groups. Kammen's definition of interest came from political scientist Robert MacIver: "When a number of men unite for the defense, maintenance or enhancement of any more or less enduring position or advantage which they possess alike or in common, the term interest is applied both to the group so united and to the cause which unites them."[11] Kammen refined this definition and broadened it by including "local, familial, personal, and parliamentary connections...[and] regional, national, and imperial groupings...." The question that must be answered here is how "interest" applied to Canada, or how it should be defined to make its application useful.

Nineteenth century Canada, it seems to me, featured a combination of the British and American systems. Wealth and class were less pervasive in Upper and Lower Canada than in England, but there was an oligarchy of English and local officials who kept political power in their own hands. After the Union, this oligarchy lost power to the governor, as Sydenham (to a greater extent than his pre-rebellion predecessors), acted as his own prime minister, with little restraint from local officials, dispensing patronage to rally a party in support of his policies. However, this was a transitional stage, and responsible government of a sort was tolerated by Sydenham and extended by Bagot to include the French Canadians. In Canada, too, the Assembly and Executive Council were always more important than in the British system, where the propertied and aristocratic House of Lords was not parallelled by the Legislative Council. For this reason, constitutional theorists' focused on the Executive Council. When responsible government was finally established in 1848, thanks to the changes that had taken place in the Colonial Office,[12] the system was broadened in the sense that the governors stepped back from the political fray and allowed the new governing elite - middle-class businessmen-politicians who formed the majority in the House - to set policy and make appointments. Canadian politics were more widely based than the British system but not quite as open as the American one. The spoils model was not followed rigorously in Canada.

There were a large number of competing interests in the province. If one's definition was broad enough, everyone who petitioned the legislature, belonged to an association, lived in a town or on a farm had a particular interest and sought to advance it.[13] But to have an interest is not the same as being an interest in political terms. There has been much written about the railway interests, and I intend to look at Hincks' connection with them. But even within an interest group, as we have seen, there are differences: while MacNab might agree with Hincks that railways were good and progressive, he did not want the Grand Trunk to damage the Great Western's interests by building a Sarnia extension. In the case of the railroad craze, there were more interests than there were railroads, or even proposed railroads. Hincks' ability to overcome or satisfy all the competing interests to bring about the Grand Trunk was a feat in itself. A study of businessmen-politicians runs into the same problem, as each type of business had its own particular interests, and it was difficult for a politician to please all of them. Interest functioned at different levels: at the lowest end of the scale, an individual businessman might support a politician who promised to deliver a specific economic, political or social benefit to him or his community. At another level, politicians could promote the building of public works in order to win votes, obtain financing for provincial development, or maintain a competitive advantage for a particular business or for the province as a whole. More than one kind of interest could come into play in any given situation.

Thus, in an attempt to avoid allowing the jumble of interests to fog our view of mid-nineteenth century Canadian politics, I intend to adopt a wider approach and a narrower definition. It is not necessary to focus on every individual interest, though that might be a fruitful, if time-consuming, course. Hincks did not set out to please everyone individually. Rather, he sought to create a climate within which the province would advance and everyone (according to certain theories) would ultimately benefit. When beginning the Montreal Pilot in 1844, Hincks outlined his political principles, saying that the "grand object" was "to advocate the interests of Canada." He added that "all classes of the population ought to combine together" to do so. And he stressed the need for harmony among all interests:

> The great interests of the Province - Agricultural, Manufacturing, and Commercial - will receive that share of attention to which their importance entitles them. Instead of fomenting jealousies between these different interests, every effort will be used to unite them and to teach them that the prosperity of the country depends on measures being adopted by the Legislature for the relief and advantage of all....[14]

Hincks carried this principle, and, as he noted, "twenty years' experience in commercial affairs", into his editorship and his renewed political career four years later.

The basis of this thesis is an examination of Hincks' use of development policies and patronage to build the Reform party and extend it to include businessmen, with everyone committed to developing the province. This form of the politics of interest was a kind of boosterism, but it was more than that. If asked, most politicians were for progress. Hincks' achievement was that he managed to keep in check the varying interests within the Reform party longer than anyone thought possible. At the same time, he made several positive advances for the province. Even when he left office in late 1854, few disagreed with his economic policies; however, there were just enough members who disliked his "railway morality", as well as his seigneurial and reserves policies, to make continuing impossible. He handed over power to a group of politicians more compatible than his own, and supported the Liberal-Conservative alliance before his departure from the scene in mid-1855.

Kammen singled out the two decades from 1763 to 1783 as "an age of interests", which "so dominated politics that...mercantilism had changed from the control of trade in the interest of national policy, to the control of national policy in the interest of trade."[15] While one might delineate any period as an age of interests with suitable justification, Canadian politics in the 1840s and 1850s experienced seemingly fundamental changes, but not much more stability - competing political and economic interests were, if anything, more difficult to reconcile in the open system. Hincks believed that the only way to maintain the integrity of the Union and its underlying alliance between French and English Canadians, was for both groups (and the politicians representing them) to concentrate on common interests and avoid issues that would divide them. One might argue that Hincks did no more than ride the surging wave of interests in a prosperous age until he was thrown out of power. Yet the fact remains that he did try to guide the interests with consistency, through bad times and good, that he did have a strategy to promote political and provincial development, and that the alliance between business and politics was much firmer when he left office than when he entered political life. One cannot discuss the political development of Canada without considering Hincks and the politics of interest.

Class is another valuable analytical tool, though unless defined very carefully it can be misleading.[16] In 1965, Stan Mealing pointed out the lack of use of class as a concept in the interpretation of Canadian history,[17] though several historians have tried to deal with it since. In a Marxist sense, there was little class conflict in mid-nineteenth century Canadian society, and perhaps not much in the way of class at all. The question is whether mid-nineteenth century Canadian businessmen-politicians can be considered a class. Jean Burnet argued that in the early years, Upper Canada had only "one occupation and one social class" - the farmer - differentiated by degrees of wealth. Before long, a town-based social elite developed, comprising "military men, government officials, ecclesiastical dignitaries, and well-to-do merchants."[18] This elite was later challenged by American immigrants who became "prominent men of capital and technical experience", while the lower orders were supplemented by immigrants without capital (Irish Roman Catholics and blacks) who became an urban proletariat. Though the "backwoods" had a levelling influence, pulling down the upper classes and raising the lower ones, Burnet concluded that by the time a working class did emerge, office-holders and rich merchants had combined "to exercise a measure of dominance not previously possible."[19] This elite, broadly defined, is what interests me, as does the role that Hincks played in bringing more businessmen into the power structure.

Other historians have addressed the question of class in Canada. Michael Katz's argument that every city dweller in North America was either a member of the business class or the working class is certainly useful, if quite broad. He argued that "the entrepreneurial class comprised an overlapping elite governing economic, political, and associational life" in Hamilton, though this class was fairly unstable because of "the uncertainties of economic life and...their own acquisitiveness and weakness...."[20] William Acheson criticized this definition, which "assigns entire categories of men to the business class: all professionals and even the meanest clerk or school teacher become a capitalist."[21] Acheson preferred a three-class model for Saint John, but he seemed wary of using class. He noted the development of a "powerful social élite of public officials and great merchants that played a dominant leadership role in the life of the community", but argued only that "This élite contained many of the elements of a genuine class, particularly in its ownership of property." This argument seems similar to Harold Perkin's notion of "latent" class,[22] and is underlined when Acheson later noted that "the major impediment to merchant domination was their inability to act as a class on many issues, an experience similar to that noted in English industrial towns of the period."[23]

In order to understand Canadian society in the 1840s and 1850s, class is not as useful a concept as are interest and status. The volatile mixture of ethnicity and class were just beginning to be felt. But if businessmen were such a diverse group[24] their interests must have been very diverse too. Class lines were fairly blurred, as J.M.S. Careless pointed out when he argued that as a group, businessmen-politicians "all show significant similarities in their social setting and private interests...[and] were truly bourgeois, representatives of fast-emerging, town-based capitalist society."[25] Nevertheless, Careless used status to differentiate a society in which "Class divisions were less clearly evident...." There was an upper class, but most of society fit into what he termed the "respectable classes". While the leaders "might have formed an upper middle-class elite themselves...there was no great social difference perceived or felt between them and the 'respectable' mass of the populace below."[26]

Alison Prentice also focused on class in mid-nineteenth century Upper Canada, particularly the development of the middle class. Her social control approach seemed to be an examination in the Canadian context of Antonio Gramsci's concept of "hegemony", which involved "two socio-political groupings", "those who controlled the state and sought to maintain the stability of the state, and...those sections of the middle class who aspired to gain a dominant and controlling position within British society for their own social class."[27] Prentice's school promoters feared the possibility "of open and violent conflict" between rich and poor, but thought in status rather than class terms. They did seek to improve the position of the middle class through education, which was "an almost certain avenue to upward mobility, to individual as well as class betterment."[28] But, like Careless, Prentice's concentration on terms like respectability and gentleman have more to do with status than class. Egerton Ryerson and his cohorts thought of society as being made up of either educated or uneducated. They meant many things when they used class, from "religious groupings" to "distinctions of age or sex", or even "social or occupational status...." "Gentleman" was another very loose term, as one's occupational status "was increasingly less important than what one did within that calling": Prentice cited Ryerson, whose opinion of the unscrupulous George Brown clearly implied that Brown was not a gentleman "even though this was his ostensible status."[29]

R.J. Morris looked a bit more closely at status, noting that "after 1850 Britain developed two status concepts...those of 'the gentleman' and of 'respectability'." These two ideas "could justify detailed stratification and inequality...[and] also help the mutual acceptability and co-operation of unequal social groups in politics and public affairs."[30] Thus, the concept of status makes it easier to explain how men with different interests and from different strata in society could coalesce because they were gentlemen, just as being respectable (which included "Habits of frugality, saving, sobriety", cleanliness, "Education, religion, rigid sexual propriety and family-centered values...")[31] made class barriers less rigid. In the case of politicians, the legislature had a club-like atmosphere, and served as a place where men of different backgrounds and cultures could meet to discuss the questions of the day. Their occupation as politicians, even for the few months each year they acted as such, provided common ground. Morris' description can be applied to the Canadian situation.

An interesting interpretation arises from E.P. Thompson's work. Though there is little direct connection between early 18th century Britain and early 19th century Canada, Thompson's interpretation invites parallels that are striking. One view of nineteenth century development in Canada is that a group of well-to-do Tory "bandits" was replaced after the union by another group of Reform "bandits", and both realized the importance of joining forces in 1854. If George Brown had thought of calling Hincks a "patrician banditti", the term might have fitted. Thompson, however, pointed out that historians should not be too hasty to apply the concept of class to pre-industrial societies "If class was not available within people's own cognitive system, if they saw themselves and fought out their own historical battles in terms of 'estates' or 'ranks' or 'orders', etc...."[32]

Thus, in looking at mid-nineteenth century Canadian businessmen-politicians, we are not looking at a class, but rather at interest or status or occupational groups. These are not interchangable terms, as categorizing businessmen-politicians depends on many factors: if they were merchants or lawyers, they might be part of an occupational group; if they were large or small businessmen, status might be more important; and if they were concerned with shipping goods, they might be considered part of an interest group promoting improved canals or new railroads. Some might have considered themselves part of all three groups. Yet we can take comfort from Thompson that "Class and class-consciousness are always the last, not the first, stage in the real historical process." The development of a rigorous and fully conscious class of entrepreneurs in this period does not appear to be the case. If it did, Hincks might have lasted much longer. Though elements of an entrepreneurial class were visible, particularly in the railway and manufacturing sectors, Acheson's argument that businessmen only acted as a class at certain times is one reason why class is not very useful in such a study as this one.

Class, then, is a word with many meanings. An alternative to Marxist usage, and even that of E.P. Thompson, has been put forward by Max Weber, who discussed class, status and party. For Weber, an individual's 'class situation' was tied not to the means of production, but to "market situation, which in turn depended on the value of his labour and his share of property."[33] Thus, "'Property' and 'lack of property' are...the basic categories of all class situations", and the distribution of material property gives those who have it "the entrepreneurial function and all chances to share directly or indirectly in returns on capital."[34] Weber further argued that "Individuals identified themselves with status groups which were the basis of a consciousness of common interests and values."[35] Society was therefore composed of "a series of status groups distinguished by common life styles and social evaluation", and "Party was the organization through which an individual and those like him laid claim to power...."[36] Weber's concepts are quite useful when applied to the Canadian situation in the mid-nineteenth century. Businessmen-politicians more likely considered themselves as a status or interest group rather than a class; and Hincks would have agreed with the idea that businessmen in politics considered that they could control the pace and direction of development.

Ethnicity is also important in studying Hincks since questions of patronage and interest politics involved cultural links and nationalities. It was vital for a successful politician to be able to balance the interests of national groups as diverse as the French Canadians, Scots, Irish, Americans, as well as the Canadian-born. As far as ethnic ties are concerned, one only has to look at how many of Hincks' friends were Irish and how many enemies were Scottish. Baldwin himself provided a clue to the importance of ethnicity when he said that the Reform leadership was like an Irish family. Hincks owed his introduction to Canadian society to his Irish heritage and the Baldwins' goodwill, and he provided the same welcome to the Hutton family (William was his first cousin) of Belleville. Other friends and supporters were Irish, so much so that it aroused remark. The fact that five of the Hincks-Morin government had Irish origins (Hincks, the two Attornies-General, and the two Solicitors-General) led some observers to think that Hincks was trying to establish an Irish government in Canada. Ethnic groups also had political importance - Hincks rallied the Irish canallers to help win the 1844 Montreal by-election and he was concerned with winning over the Orange Order, particularly in Toronto in the 1850s. His Irish origin also partly explains his fear of the Scottish voters of Zorra township in Oxford county: they never posed an insuperable obstacle, but Hincks had to work harder for their support, and campaign with influential Scots. The point about ethnicity cannot be taken too far, since Hincks got along with Scots, Anglos and native-born Upper Canadians, but his ethnicity should be kept in mind when looking at his appointments and policies.[37]

Religion also helps explain Hincks' make-up. He was born into a very religious family - his father was a Presbyterian minister and teacher, and his four older brothers were ministers (two of them also distinguished scientists- an orientalist and professor of natural history). Hincks himself was a Unitarian, though there is no explanation why he became one.[38] He was also a dissenter, which, along with his Irish background, meant that Hincks and others in the same position were not particularly worried by Roman Catholics- they came from a society in which Catholicism was the dominant religion and in which both Catholics and dissenters were denied "important civil rights under laws [the Test and Corporation Acts] designed to favour the established church."[39] Morris argued that dissenting religion "provided a focus for social activity as well as a sense of equality before God, freedom of conscience, and the experience of political struggle...."[40] And Thompson noted the reform tradition of dissenters, who "continued throughout the [nineteenth] century to work for civil and religious liberties." As for the Unitarians, their "rational Christianity...with its preference for 'candour' and its distrust of 'enthusiasm', appealed to some of the tradesmen and shopkeepers of London, and to similar groups in large cities. But it seemed too cold, too distant, too polite, and too much associated with the comfortable values of a prospering class to appeal to the city or village poor."[41] Thus, dissenters like Hincks may not have felt as threatened by Roman Catholics as men like George Brown.

There was nothing that could have been called an established Unitarian presence in Canada when Hincks arrived in the early 1830s: William Hutton, son of one of the leading Unitarian ministers in Ireland, went to a Presbyterian church in Belleville rather than not go anywhere, but he was not allowed to participate fully "on account of my heretical opinions...."[42] Thus, there were even differences among fellow dissenters, and Unitarians had to be flexible. When Hincks went to Montreal in 1844, the first Unitarian church in Canada was just being built under John Cordner's guidance.[43] There was quite an important group of business people in the Montreal congregation, including Theodore Hart, Luther Holton, John Young, Benjamin Holmes, and the Workman brothers, Thomas and William. And if Hincks encountered the same attitude as William Workman, his affinity to French Canadians might be better understood: Workman once said to a friend that, as a Unitarian, he was "accustomed to vituperation from opposing Protestant sects (never from Roman Catholics)."[44] In any case, through these men, Hincks was given entry to the Montreal business community, and he participated with all of them in one form of enterprise or another, from his newspaper to banking, telegraphs and railroad promotion. Thus, in his early years in Canada, the influence of religion can be seen in Hincks' career.[45]

The underlying concern of this thesis, however, remains interest, and how Hincks appealed to a status and occupational group that had been previously kept on the fringes of power. Businessmen had certainly had influence on the Compact, but were rarely in the inner circle; rather, they tended to make up the local elites, along with officials appointed by the central elite. They also had to be adept at meeting changed economic and political circumstances, but the Union of 1840 provided a new challenge. The old system, dominated by the conservative Compact, gave way to a new situation, and the Upper Canadian Reformers were able to strike a bargain with their Lower Canadian counterparts, based on the promotion of responsible government. For businessmen like Hincks, Merritt, and Isaac Buchanan, this was a logical way to achieve both economic and political goals.

Businessmen responded to Hincks' promotion of local and provincial development, entered politics in larger numbers than ever before, and encouraged more economic development, especially the building of railroads. At the same time, Hincks was concerned with the Reform party. He first used responsible government as a rallying point, since the principle had broad appeal. Reformers and others supported the idea because they sought to improve their own interests or status through the use of the patronage of the Crown. Hincks used patronage and development policies in a double-barrelled appeal to the interests of businessmen, and he created a moderate, development-oriented party that attempted to avoid divisive, controversial questions while concentrating on improving the financial and economic standing of the Province of Canada.

Before briefly examining the historiography, a comment can be made about the treatment Hincks has received. In the writing of Canadian history, Hincks was first the victim of the views of his opponents, and this interpretation has continued more or less unquestioned until the present. To begin with, not many of his incoming letters survived, as it was his practice to burn them on receipt.[46] While it is sometimes difficult to know what Hincks was being told or what he was asked to do, there are a large number of his letters to others in various manuscript collections. Partly because his views and activities were so well known, he was villified by critics like George Brown and W.L. Mackenzie while in Canada. This state of affairs continued long after he left in 1855, and is reflected in his nicknames, which included the "Hyena" and the "Chiseller".[47] Twentieth century writers like Gustavus Myers and Stanley Ryerson followed Hincks' contemporary critics. They focused on the £10,000 Job and portrayed Hincks as a scheming, grasping politician, part of a class of capitalist-politicians out to feather their own nests.[48]

Hincks did try to influence history and rescue his own reputation in later years, as he was apparently bothered by opposition comments in 1870 about his treachery to the Reform party in 1854.[49] After he retired from active politics, he produced his own view of the 1840s and 1850s: his 1877 lecture on the "Political History of Canada" was a response to criticism about his involvement in early Canadian politics.[50] His views influenced a few writers, most notably John Charles Dent, who corresponded with Hincks while preparing his book on The Last Forty Years.[51] Hincks also liked Louis-Philippe Turcotte's Le Canada sous l'Union, 1841-1867, and wanted to bring out a corrected, translated version himself, but Turcotte died in 1878 "before this project could be accomplished."[52] In his Reminiscences, published in 1884, Hincks criticized the inaccuracies in various histories and biographies that had already been written.[53]

The problem with political-constitutional history, and the French-English and economic themes, is that they focus on developments like responsible government or the effect of free trade as if they occurred in a vacuum. The wider context is usually ignored, as is the role of individuals. The biographical approach is also quite limiting because there is little room to speculate about groups or parties, the links between business and politics, or the importance of class and ethnicity, beyond the particular character being studied. Donald Creighton was right when he complained that Canadian politicians have been presented according to the "Procedure Appropriate for the Portrayal of Public Personages." We have either been treated to the lives of "Robert Responsible-Government, Francis Responsible-Government and Wilfrid Responsible Government",[54] or extremely critical and negative reactions to such characterizations. Even when studies like those of J.M.S. Careless and William Ormsby were good introductions to politicians like Hincks, the reader is not satisfied that their careers have been adequately or fully explained.[55]

Recent articles have begun to point the way to a new explanation. Keith Johnson developed his interest in John A. Macdonald by including him in the class of businessmen-politicians uncovered by Donald Swainson in his work on nineteenth century businessmen who entered politics. Johnson's work on "the young non-politician" and Macdonald and the Kingston business community showed the close relationship between business and politicians of the first rank, postulating "that Macdonald as Party Leader, as Prime Minister, as policy maker, as nation builder, was influenced in significant ways by the habits, the experience, the mentality of Macdonald the businessman." He noted that such a connection needs "more extensive research than has so far been undertaken", as well as "a careful comparison in depth of the habits of mind, the code of beliefs, the rules of the game under which Macdonald operated in both his private and public capacities...."[56] Such work needs to be done on Hincks too.

Johnson also examined the "unfortunate period of public and private morality" when bold operators like Samuel Zimmerman made huge profits and bribed anyone who would accept money or stock for favours or deeds. He also noted that "there is evidence to suggest that while Zimmerman's standards may well have been acceptable to or identical with those of the majority of the elite of the time, they were not necessarily those of society as a whole."[57] Thus, attitudes were changing, but Johnson did not try to pin down distinctions within the transitional period. Hincks was mentioned as one of Zimmerman's "friends", and Johnson's study seemed to indicate a need to look at Hincks, who had a great deal to do with forming peoples' ideas on "railway morality."

Peter Baskerville refined the notion that the Family Compact consisted of failed entrepreneurs in an interesting article that focused on the early activities of John Strachan and William Allen. He argued that the hesitancy of the Toronto elite's involvement in entrepreneurial activity was a feature of its social-cultural make-up. By the 1850s, the conservatives followed a "somewhat more agressive [sic], certainly more flexible and definitely more speculative, business code...."[58] This approach can be applied to Hincks and the Reformers of the same period, when Hincks was trying to broaden the entrepreneurial base of his party with development policies and appeals to the interests of businessman-politicians. Along the same lines, Bruce Walton has also pointed out the need for a new look at Hincks. He focused on the reasons for overexpansion of the railway system in the 1850s, and looked at Hincks as part of the "developmental/elite" of the 1850s. While Walton stated that Hincks "stands alone as the key figure of the period", he only looked at his role "in the rehabilitation of Canadian credit after 1848, in the formation of railway policy, and in the genesis of the Grand Trunk Railway in 1852-53...." The political context was ignored and Hincks was set aside because he left in 1855, thereby denying Walton "the parallels between his career and the larger story which was the railway-led Laurentianism of the 1850's." He used A.T. Galt instead.[59]

Finally, if these signposts are added to the work of Michael Cross, who explained how Baldwin's personal tragedies and private character affected his public career,[60] a new explanation presents itself. Cross examined Baldwin's resignation in 1851 and argued that "The events of 30 June 1851...clearly signalled that the world of the gentry past, the world of real property, the world of Mr. Baldwin, had given way to the new world of the bourgeoisie, capitalist wealth, and Francis

Hincks."[61] There was a brief account of the Hincks-Baldwin conflicts over Reform party policies, but Cross was more concerned with linking Baldwin's view of the changing world with those of the angry rioters who were protesting "the modernizing policies of the day." Cross argued that Baldwin's inability to bridge the class gap led to "the steady erosion of his political base."[62] And it left him vulnerable to Hincks, who, by 1851, was "ready for an open confrontation with his leader"; one Hincks did not lose.

Such interpretations open up a series of questions about Hincks' role in the politics of the union. There is no need to restate the occurrences of the 1840s and 1850s, although some aspects can be examined in the light of the new approach. Rather, it is necessary to look at the role Hincks played in the development of the Reform party, economic policy, and the political transformation that resulted in the coalition of 1854. Hincks had a crucial role in the formation of the united Reform party, which began to split up after responsible government had been won: the Clear Grits were the first to break off because of their admiration for American institutions and their opposition to state funding of religious organizations, including separate schools. George Brown, personally disappointed with the Reform party leadership, led an increasingly large and vocal opposition to the ministry's ecclesiastical policy and French domination, although he supported the imperial connection and British institutions. Significantly, the Conservatives were also divided. The old High Tories, remnants of the Family Compact, had still not adjusted to the Union and were very suspicious of the ex-rebels of 1837, both English and French, who controlled the government after 1848. Moderate Tories emerged in the 1830s, and an even more pragmatic group developed out of the political exigencies of the 1840s. While it was leaderless after William Draper went to the bench, William Cayley and John A. Macdonald were prominent.

The thesis will approach the question of Hincks and interest thematically, looking separately at economic and political development. It will argue that Hincks used development policies to promote the provincial interest, as well as benefit the Reform party. Secondly, it will examine how Hincks directed the policies of the Reform party to appeal to business interests, from the low after the rebellions to its crucial role in the coalition of 1854. And finally, it will argue that patronage was used as a means of developing the party and broadening its support, although it could do little when faced with the combined forces of dissident and disappointed Reformers, and a mischievous opposition fulfilling its role.

[1] See G. Myers, The History of Canadian Wealth (Toronto, 1972), 150-217; and M. Bliss, Northern Enterprise: Five Centuries of Canadian Business (Toronto, 1986), 597.

[2] S.F. Wise, "The Conservative Tradition in Upper Canada", in Edith Firth, ed., Profiles of a Province: studies in the history of Ontario (Toronto, 1967); Gerald Craig, Upper Canada: The Formative Years, 1784-1841(Toronto, 1963); Paul Romney, "From the Types Riot to the Rebellion: Elite Ideology, Anti-Legal Sentiment, Political Violence, and the Rule of Law in Upper Canada",OH, 79, 2 (June, 1987).

[3] Chester Martin, Empire to Commonwealth: Studies in Governance and Self-Government in Canada (Oxford, 1929); Jacques Monet, The Last Cannon Shot: A Study of French-Canadian Nationalism, 1837-1850 (Toronto, 1969).

[4] Even R.L. Fraser and Michael Cross do not dispute this, though they reveal his personal, private world of grief. See "The Waste that Lies Before Me: The Public and Private Worlds of Robert Baldwin", CHA Historical Papers, 1983.

[5] There has been little work done on either the press or patronage in the Canadas, though Gordon Stewart focused on the latter to some degree in The Origins of Canadian Politics (Vancouver, 1986), as does a recent issue of the Journal of Canadian Studies (Summer, 1987).

[6] MTCL, Baldwin Papers, #25, Hincks to Baldwin, 15 June 1843.

[7] See Wise, "The Conservative Tradition", in Firth, ed., Profiles of a Province; and C. Wilton-Siegel, "Administrative Reform: A Conservative Alternative to Responsible Government", Ontario History, 78, 2 (June, 1986).

[8] See Globe, 23 September 1854.

[9] Though he called himself a liberal - others called him a radical, Reformer, Liberal-Conservative, and Tory, to name a few.

[10] M. Kammen, Empire and Interest: The American Colonies and the Politics of Mercantilism (Philadelphia, 1970), 10, 12.

[11] Ibid., 11.

[12] See J.M. Ward, Colonial Self-Government: The British Experience 1759-1856 (Toronto, 1976), and P. Buckner, The Transition to Responsible Government: British Policy in British North America, 1815-1850 (Westport, Conn., 1985).

[13] For recent work on interests, see G. Tulchinsky, The River Barons: Montreal businessmen and the growth of industry and transportation, 1837-53 (Toronto, 1977); and B. Young, George-Etienne Cartier: Montreal Bourgeois (Kingston and Montreal, 1981). Ben Forster has written about the manufacturing interest in A Conjunction of Interests: Business, Politics, and Tariffs, 1825-1879 (Toronto, 1986), and McMaster political scientist William Coleman focused on Business and Politics: A Study of Collective Action (Kingston and Montreal, 1988), though this study is not useful at all for the pre-Confederation period. An old standard is Donald Creighton's Empire of the St. Lawrence (Toronto, 1956).

[14] Hincks, *Reminiscences of His Public Life* (Montreal, 1884), 125-6.

[15] Kammen, *Empire and Interest*, 95.

[16] Various definitions of class are well explained in R.J. Morris' *Class and Class Consciousness in the Industrial Revolution 1780-1850* (London, 1979), and in R.S. Neale's collections of essays: *Class and Ideology* in the Nineteenth Century (1972), *Class in English History 1680-1850* (1980), and *History and Class: Essential readings in Theory and Interpretation* (1983).

[17] S.R. Mealing, "The Concept of Social Class and the Interpretation of Canadian History", *CHR*, 46 (1965), 201-18.

[18] Jean Burnet, *Ethnic Groups in Upper Canada* (Toronto, 1972), 31.

[19] *Ibid.*, 36, 45-7.

[20] M. Katz, *The Peeople of Hamilton, Canada West: Family and Class in a Mid-Nineteenth-Century City* (Cambridge, Mass., 1975), 177.

[21] T.W. Acheson, *Saint John: The Making of a Colonial Urban Community* (Toronto, 1985), 277, note 1.

[22] Morris, *Class and Class Consciousness*, 12-13.

[23] Acheson, *Saint John*, 55. He cited John Gerrard's *Leadership and Power in Victorian Industrial Towns 1830-80*.

[24] *Ibid.*, 55. Acheson included "all those who did not work for wages or salary and who made their livelihood from the purchase of goods and the sale of goods and services...."

[25] J.M.S. Careless, ed., *The Pre-Confederation Premiers: Ontario Government Leaders, 1841-1867* (Toronto, 1980), 24.

[26] *Ibid.*

[27] Morris, *Class and Class Consciousness*, 58.

[28] A. Prentice, *The School Promoters: Education snd Social Class in Mid-Nineteenth Century Upper Canada* (Toronto, 1977), 119, 90-2, 66. Interestingly, she did not mention Hincks, who worked closely with Ryerson, and who introduced and defended most of the education legislation in this period.

[29] *Ibid.*, 90-2.

[30] Morris, *Class and Class Consciousness*, 66.

[31] *Ibid.*

[32] E.P. Thompson, "Eighteenth Century English society: class struggle without class?", *Social History*, 3 (May, 1978), 139, 148.

[33] Morris, *Class and Class Consciousness*, 62.

[34] Max Weber, "Class, Status, Party", in R.S. Neale, ed., History and Class: Essential Readings in Theory and Interpretation (Oxford, 1983), 59.

[35] Morris, Class and Class Consciousness, 62.

[36] Ibid., 62-3.

[37] Burnet's book on ethnic groups seems to have more to do with class than ethnicity. E.P. Thompson discussed the Irish separately in his Making of the English Working Class (New York, 1963), but he was concerned with Irish immigrants to England and their essential help as labourers in the Industrial Revolution.

[38] There is no mention of his religion before the move to Montreal in 1844: one might speculate that the link with other Unitarian businessmen was more important. Later, Hincks became an Anglican, an indication that his religion was as changeable as his politics.

[39] Morris, Class and Class Consciousness, 38.

[40] Ibid. For more on Unitarianism see Philip Hewett, Unitarians in Canada (Toronto, 1978).

[41] E.P. Thompson, The Making of the English Working Class, 27, 29.

[42] Gerald Boyce, Hutton of Hastings: The Life and Letters of William Hutton, 1801-61 (Belleville, 1972).

[43] Ibid., 119.

[44] DCB, 10: 718.

[45] There has been some work done in England to establish the strong connection between Unitarianism, business and Reform politics, and the notion can readily be applied to the Canadian situation. See E.P. Hennock, Fit and Proper Persons: Ideal and Reality in Nineteenth Century Urban Government (London, 1973), 94-7; and Harold Perkin, The Origins of Modern English Society, 1780-1880 (1969).

[46] See Journals, Appendix A.A.A.A., 1855 Report, 275.

[47] Alastair Sweeney, George-Etienne Cartier (Toronto, 1976), 82; the second was one of George Brown's epithets.

[48] G. Myers, A History of Canadian Wealth (Toronto, 1972), 150-217; and Stanley Ryerson, Unequal Union (Toronto, 1973), 237-50.

[49] Canada, House of Commons, Debates, 1870, 75-82.

[50] F. Hincks, The Political History of Canada between 1840 and 1855: A Lecture (Montreal, 1877).

[51] J.C. Dent, The Last Forty Years: The Union of 1841 to Confederation (Toronto, 1972), 243-4; see also Elizabeth Nish, "How history is written: the Hincks to Dent letters", in Revue du Centre d'Etude du Québec (Montréal), 2

(avril 1968), 29-96.

[52] DCB, 11: 247.

[53] Hincks, Reminiscences of His Public Life (Montreal, 1884), 278, 20, 26, 43, 146, 186, 358, 437-8.

[54] D.G. Creighton, "Sir John Macdonald and Canadian Historians", in C. Berger, ed., Approaches to Canadian History (Toronto, 1976), 53-4. In Hincks' case, W.P.M. Kennedy's Lord Elgin (Toronto, 1929), Chester Martin's Empire and Commonwealth (Oxford, 1929), and R.S. Longley's Sir Francis Hincks (Toronto, 1943) come to mind.

[55] J.M.S. Careless' Brown of the Globe (1959), The Union of the Canadas (1967), and his edited collection of The Pre-Confederation Premiers (1980); W.G. Ormsby, "Sir Francis Hincks", in Careless' Pre-Confederation Premiers, 148-96, and DCB, 11: 406-16.

[56] J.K. Johnson, "John A. Macdonald- The Young Non-Politician", CHAR, 1971, 150.

[57] J.K. Johnson, '"One Bold Operator": Samuel Zimmerman, Niagara Entrepreneur, 1843-1857', OH, LXXIV, 1 (March 1982), 41.

[58] P. Baskerville, "Entrepreneurship and the Family Compact: York-Toronto, 1822-55", Urban History Review, IX, 3 (February, 1981), 29.

[59] J.B. Walton, "Worth Having at Almost Any Cost: Laurentianism and British Capital in Canadian Railway Policy, 1848-62", Ph.D., Carleton, 1984, 53.

[60] Cross and Fraser, "The Waste that Lies Before Me", CHA Historical Papers, 1983, 166.

[61] M.S. Cross, "The First Victim: The Canadian Economic Revolution and the Fall of Robert Baldwin, 1851", unpublished article, 3.

[62] Ibid., 10, 13.

Chapter II

THE APPRENTICESHIP OF FRANCIS HINCKS

Though the politics of interest had existed long before Francis Hincks arrived on the political scene in the early 1830s, he became one of its most noted Canadian practitioners. The Upper Canadian Reform party had been developing slowly in the early part of the nineteenth century as an alternative to the well-entrenched Tories, and both parties were beginning to take on definable forms by the late 1820s. The Tories were expanding beyond the exclusive domain of the Loyalists and British official class, and by the 1820s and 1830s, moderate Tories were more developmentally-minded and were beginning to adopt a more accommodating tone. Reformers, too, were voicing radical and moderate responses to the status quo: the moderates focused on imperial reform through the principle of responsible government, whereas the radicals were increasingly drawn towards democratic and even revolutionary ideas, based on their perception of the American experience.[1] These trends in Reform party development had begun in the 1820s, advanced to a point in the early 1830s and then stalled, except for the option of rebellion. For the Upper Canadian situation to advance along constitutional lines, new blood and new ideas were desperately needed in the mid-1830s. These were provided by Francis Hincks.

Once Francis Hincks was settled in Canada, he came to realize the practical potential of responsible government. He also recognized how interest politics could appeal to businessmen, who in turn could promote provincial development. This chapter will show that Hincks was primarily responsible for building the

Reform party, using responsible government as an attraction, pushing a united Canada as a means to progress and development, and at the same time inducing the French Canadians to join their Upper Canadian cohorts in the struggle. The strategy Hincks followed was to try to get what he called "decided" men, those who could work together for common goals and subordinate individual interests. These men, preferably businessmen, were to run for seats in 1841, to force the acceptance of responsible government, to promote development, and to broaden the party. An examination of these aspects of Hincks' early career will prepare the way for a study of his later economic and political policies, which so influenced the way Canada developed.

Hincks was born on 14 December 1807 into an Anglo-Irish family, though one that had been in Ireland since 1767. His father, Thomas Dix Hincks, had begun a medical career, but later switched to Trinity College to study for the ministry. He ministered at Cork from 1790, taught school from 1791 to 1803, and then entered the Royal Irish Academy to teach chemistry and natural philosophy. In 1807, the year Hincks was born, his father founded the Royal Cork Institution "for promoting popular instruction in the sciences and useful arts."[2] Francis, the youngest son of nine children, was educated in his father's schools, Fermoy Academy after 1815 and the Belfast Academical Institution after 1821.[3] Hincks was brought up in a very religious family, and in an atmosphere that was perhaps made even more intense by the high proportion of Roman Catholics in Irish society.[4] Hincks' earliest memories probably date from the family's time in Fermoy, which had a slightly higher than average Protestant population because of the military garrison there, but it was not until 1818 that his father managed to gather together a small Presbyterian congregation that met in the local court-house.

Hincks entered college in 1823, but rather than continue his classical education as a prelude to teaching or joining the ministry as his brothers had already done, he chose the world of finance. He left school to begin his career with a Belfast notary in 1824, aged seventeen, and later that year was apprenticed as a clerk in the shipping firm of John Martin.[5] After five years, Hincks secured passage as supercargo in one of the company ships and sailed to the West Indies in early 1830. He was so impressed with the islands that he had decided to settle there. However, in Barbados, he happened to meet G.M. Ross, son of a Quebec merchant, who offered him free passage and the chance to visit Canada "for the purpose of studying her commerce."[6] Hincks accepted the offer and went to Quebec, Montreal and York, where he wintered, "attended the House very regularly and made the acquaintance of some of the members."[7] He left early in 1831 and returned to Ireland by way of New York and Liverpool. On 29 July 1832, he married Martha Stewart of Legoniel, near Belfast, and the two went to York later that year. He set up a wholesale warehouse business at 21 Yonge Street, on the corner of Market, which was owned by and situated next door to the Baldwins. The two families became close friends: the Baldwins helped Hincks become established in Toronto.

Hincks' political awareness predated his arrival in Canada: thus when he first visited Upper Canada, it is not surprising that he showed considerable interest in the assembly. He was well aware of Irish and English politics and he later wrote that in Ireland he was a liberal in politics- "all my friends entertained liberal opinions"- though he claimed to be open-minded. To Hincks, the test of liberalism was support "of all the liberal measures then [circa 1823] advocated by the Reformers, such as Catholic Emancipation, the Repeal of the Test and Corporation Acts, Abolition of Slavery, and Parliamentary Reform."[8] He later supported free trade. The problem of definition arises because of the looseness of terms used in the nineteenth century - he was defending himself against the charge that he was a Tory. In his memoirs, Hincks noted three autobiographical pieces, written by his father, which he claimed "guided" his own early life, "and to which I have endeavoured steadfastly to adhere." The first had to do with politics: his father was acquainted with several Conservatives in Cork, and wrote that "as I knew them better, though they did not lead me to change my principles, they compelled me to admit that good and well-informed men thought differently...and that we should all learn to differ without personal animosity...and without being unwilling to co-operate for the general good." The other two, based on a 1791 pamphlet favouring Catholic emancipation and his father's contact with the Cork Benevolent Society, led his father to "a growing conviction of the goodness to be found in every sect, and a confirmed disposition to unite with persons of every different persuasion in the advancement of the public good."[9]

Hincks' liberalism was rooted in his upbringing and religion, as dissenters in Britain were almost always Reformers or radicals. Norman Gash observed that "Politically, the bulk of the dissenters may have supported the left wing in politics; socially they were probably as much a moderating as an innovating element."[10] Ireland was a slightly different situation: Ian d'Alton argued that "Dissenters did not uncritically view every feature of the Anglican establishment."[11] The leaders of both religious groups shared social and economic interests: "Both groups, in the urban context, belonged to the upper and middle mercantile classes and fear of the power of the urban democracy unleashed by the O'Connellites [Roman Catholic political radicals] made sure that both groups followed the same political path." As a Unitarian, thus, Hincks shared the broad social and economic aims of the urban middle class dissenters and Anglicans, combined with an open-mindedness about similarly placed Roman Catholics. Yet political rights did separate dissenters from the established church, as the former could not vote until 1829.[12] On the political side of the Irish situation, d'Alton examined the movement to reform the municipal corporations, "by which the great landed aristocrats had controlled the Irish house of Commons", and noted that from 1832 to 1840, the "tory and whig-liberal middle class factions" fought over "the possession of the patronage and petty power that went with the local bodies."[13] Thus, when Hincks came to Canada, he saw a similar situation - a battle between the entrenched Tories, and the Reformers, who sought constitutional reform to rectify colonial grievances. Hincks based his Canadian observations on Irish politics, as well as his Unitarianism, classical education, and practical business experience.

Hincks noted in his Reminiscences that he arrived in the province "at a period of great political excitement...", and that he had "entire political confidence" in both Robert Baldwin and his father. The Baldwins were a well-established York family by 1830, both socially and professionally. They had emigrated from Cork in 1799, and were welcomed to York by Peter Russell, administrator in Lieutenant-Governor Simcoe's absence. Dr. William Warren Baldwin practiced medicine, law, and taught school in order to make ends meet in the pioneer community, and entered politics as member for the riding of York Simcoe in 1820. Dr. Baldwin became a prominent Reform leader, and, along with Marshall Spring Bidwell, son Robert Baldwin and Dr. John Rolph (who called these four "the Cabinet")[14] formed an organized opposition to the Tory rule of the Family Compact. By the mid- to late-1820s, the loose Reform party split into moderate and radical wings, with W.L. Mackenzie leading the latter in an increasingly violent tone. Aileen Dunham argued that after Dr. Baldwin was re-elected to the assembly in 1828, "the question of responsible government is thrust to the foreground."[15] In that year, Lieutenant-Governor Sir Peregrine Maitland's arbitrary dismissal of Judge Willis led to many protest meetings: the one chaired by Dr. Baldwin petitioned the British government for redress of grievances, particularly the irresponsibility of local officials.[16] In a letter of 3 January 1829 to the incoming British Prime Minister, the Duke of Wellington, Dr. Baldwin suggested that there should be "a provincial Ministry (if I may be allowed to use the term) responsible to the Provincial Parliament, and removable from office by His Majesty's representative at his pleasure and especially when they lose the confidence of the people as expressed by the votes of their representatives in the Assembly." However, the British government specifically denied the principle of responsibility for a distant, frontier colony.[17]

It is questionable whether the arguments of the late 1820s were made out of ignorance or whether they were part of a conscious case for responsible government. On the one hand, the Reformers seem to have had little understanding of the relationship between Britain and her colonies: their arguments were based on the widespread assumption that Upper Canada had, in Simcoe's phrase, the "image and transcript of the British constitution." On the other hand, they were reacting to what they considered the unjust activities of a provincial administration that was holding back the full operation of the British constitution. They might have been remarkably astute in analyzing the trends in British constitutional practice, trends which still had not solidified into convention,[18] and applying them to Upper Canada. Dr. Baldwin wrote British reformer Joseph Hume on 2 April 1830 that the "formation of a new Executive or Colonial Council responsible and removable as the public interest may demand...would, of itself, indirectly lead to the removal of all our present grievances...."[19] However, both Baldwins (Robert had entered the House after a by-election in January 1830) were defeated in the general election that followed George IV's death in mid-1830, though the Reformers again formed the majority. They therefore retired from politics for a time, due to the "extreme fickleness of popular opinion", as well as their dislike of the more radical side of the Reform party.

In the early 1830s, discontent was fairly broad-based and the Reform party was beginning to organize itself to better challenge the Compact. Craig noted that the growing disapproval of the ruling elite in the 1820s was a result of its exclusive "religious and educational policies." These were soon joined by economic grievances, charges that the Tories were too sympathetic to the interests of bankers and merchants and too insensitive to the needs of farmers.[20] Mackenzie's 1835 Grievance Report pointed out that the chief source of dissatisfaction was the abuse of government patronage; in addition, the executive's abuses were "concealed, or palliated, excused and sustained by those who are interested to uphold them as the means of retaining office, for their private, and not for the public, good."[21] The Reformers were also organizing province-wide in the tradition of Robert Gourlay. As early as 1828, the Constitutional Society of Upper Canada was established and candidates were nominated to stand for Reform policies. In 1834, the Constitutional Reform Society held weekly meetings in Toronto, while other communities petitioned the government for redress of grievances. Mackenzie set up the Canadian Alliance Society in December 1834, and there were seventeen branches by May 1835 though he had hoped for two hundred. After the Reform party failed to keep its majority in the 1836 election, a new Constitutional Reform Society of Upper Canada was begun with Dr. Baldwin as president, though it seems to have been replaced later in the year by the City of Toronto Political Union.[22]

Hincks, a young businessman looking for a good spot to set up shop, was attracted to Upper Canada and its potential. His education, practical experience and religion had produced a liberal, flexible, well-rounded character before he left Ireland. Yet he found it difficult to operate a wholesale business successfully because of the impediments built into the Upper Canadian political and economic system. In the 1830s, both businessmen and Reformers complained about a political system that was inefficiently run by an autocratic governor and unelected councils, and about a colony separated from the ocean by Lower Canada.[23] Hincks came at a propitious time and met people who convinced him to stay.

He did not become visibly involved in politics for his first two years, as he was more concerned with establishing himself in business. It seems that his first political action was to speak in support of Reformers running in Toronto's 1834 civic elections.[24] However, business interests seemed to pull him into politics. He was caught in the middle of a Tory-Reform fight for control of the Farmers' Joint Stock Banking Company, which he had joined when it began operation in June 1835. He was one of the founders, along with John Elmsley (president, recently a Tory Executive Councillor and Roman Catholic convert),[25] George Truscott and William Ketchum. In July, the Tories gained control of the first board of directors; by September, Hincks and the other Reformers were forced out. They proceeded to form the Bank of the People,[26] which proved to be more successful, and Hincks gained notice for his adherence to the Reform cause. He also learned the lesson that politics and business in Upper Canada were inseparable.

In 1836, after Mackenzie had brought several charges against the Welland Canal Company, promoter and MP W.H. Merritt convinced the House to appoint a select committee to look into the accusations. Hincks was chosen as one of the auditors, along with a Bank of Upper Canada accountant, and he noted that he spent much time investigating the books at the legislature, which gave him "an opportunity of becoming acquainted with a great number of the members."[27] He watched in amazement as Sir Francis Bond Head ignored his newly appointed councillors, a situation that led to the resignation in March 1836 of the entire Council. Less than two months later, Hincks was appointed secretary to the aforementioned Constitutional Reform Society of which Dr. Baldwin was president. When Robert Baldwin went to England to protest Head's conduct, Hincks provided him with letters of introduction to family, friends, businessmen and politicians. Though Baldwin's mission to the Colonial Office failed and the Reformers lost the election of 1836, Hincks remained moderate and occupied himself with bank business before the rebellion.[28] Hincks had thus gradually become more and more involved in Reform politics on the Toronto stage, one that would later give him access to a provincial audience.

The Mackenzie and Duncombe rebellions of late 1837, in Toronto and western Upper Canada, had a profound influence on provincial politics. The advance from radicalism to armed revolt brought to the surface social and political tensions that the official elite had tried to ignore for years. Though the rebels' actions were neither well planned nor well carried out, and affected mainly the Toronto-Niagara and London regions, the fear of contagion made the reaction doubly fierce. William Ormsby noted that "Hincks went into hiding for a week until the hysteria cooled", although he cited no source for this information.[29] The Tories, who controlled the judicial and militia systems from the lowest level to the highest, sought to root out rebels or rebel sympathizers wherever possible. As martial law continued through the winter, largely because of the threat from rebels and Hunter's Lodges along the American border, Reform activists were forced to keep a low profile: Reform newspapers ceased publication and many disappointed Reformers considered leaving Upper Canada. Hincks was one of those who seriously thought about leaving in early 1838. He became secretary to "The Mississippi Emigration Society", whose purpose was to plant a Canadian colony in Davenport, Iowa, since "Upper Canada was no longer a desirable place of residence." He went to Washington in order to secure from President Van Buren the sale of blocks of vacant land, but was unsuccessful.[30]

It seems that Hincks became more interested in the United States at this point. Despite the attempts of Mackenzie and others to bring the American system to Canada in 1837-38, Reformers like Hincks could learn lessons from observing not only the political scene in Britain and the Canadas but also in the United

States. Though the Canadian and American political systems were different, American "machine politics" - whether at state or federal level - undoubtedly had an influence on some Canadians. Hincks for one was not concerned with constitutional details. Reformers had sought the implementation of responsible government because it involved the control of party by its leadership in the assembly, leaders who would have access to patronage that could bolster the party. Similarly, some Canadian politicians (like William Hamilton Merritt) were influenced by their view of American economic development. If British industrialization was a distant reminder of progress, the American example was much closer to hand. The completion of the Erie Canal in 1825 also lent some measure of desperation to the activities of Merritt and the colonial elite who backed the Welland Canal with government loans. Nevertheless, both Hincks and Merritt recognized that politicians like Martin Van Buren effectively used "the techniques of party organization and discipline, control of the press, and judicious use of patronage."[31] Whether these tools were used for political or economic ends, or both, mattered little - they were still effective.

Though Hincks had travelled through the United States before, he was perhaps looking at them a little more opportunistically in early 1838: he did not mention why he wanted land in the American west, but it was more likely for speculative purposes than for farming; he probably intended to try the wholesale business again, or continue his banking career in an area that was expanding rapidly and where profits could undoubtedly be made. On his visit to Washington for the society, he "was received with marked courtesy by President Van Buren, who expressed his regret that the regulations with regard to land sales" would prevent the Upper Canadians from buying American land.[32] While Hincks was not keen on the concept of republicanism, he was undoubtedly aware of the effectiveness of party as an organizing tool, as well as the draw of development politics.

On his return to Upper Canada, Hincks learned that Lord Durham had been appointed Governor General and High Commissioner. Since he apparently regarded Durham as "one of the most advanced English Reformers", there was cause for hope. A group of leading Reformers in Toronto decided that as "there was not a single paper [advocating responsible government] in Upper Canada at the time", Hincks should "undertake the publication of a journal....[33] He acquired a press and enough type for a weekly paper from Buffalo, and the the Examiner appeared on 3 July with the motto of 'Responsible Government'. From his earliest articles in the Examiner, Hincks became a spokesman for party government. David Mills has argued convincingly that Hincks based his political ideas not on "American examples, but rather from British sources." He noted Hincks' use of the Edinburgh Review, which "rejected the concept of the aristocratic basis of politics--the domination of government by a Tory elite": "...the base of political power, it was argued, rested upon 'the whole mass of the population....It is the diffusion of power among all classes which constitutes the real strength of the state.'"[34]

Hincks had just started his paper when he and the Baldwins were invited to meet Durham on his overnight stay in Toronto, 18-19 July 1838. They had only a twenty minute morning interview, but supplemented their arguments by presenting the Governor General with a copy of the Examiner. As the paper's "first page had for some months three extracts...to explain the principles it was intended to advocate", the message given to Durham was quite clear: Upper Canadian Reformers wanted no more than the "image and transcript" of the British constitution, and they were prepared to put their trust in Durham's liberality.[35] Both Baldwins sent more specific letters to Durham: Dr. Baldwin's letter listed twenty-one grievances and made some recommendations, including responsible government. Robert's letter, dated 23 August, opposed colonial autonomy and a united legislature, but argued that "those in whom the people have confidence [must be given] an interest in preserving the system of your Government...and then you will hear no more of grievances because real ones will be redressed imaginary ones will be forgotten-[36] The interest he referred to was one that would give the majority party a worthwhile reason to maintain the British tie, and he meant control over all aspects of local government.

It seems that before 1838, Hincks' actions were largely framed by the Baldwins' idea of responsible government, which was a means to redress society's grievances and produce harmony. Neither was particularly specific about such goals, and saw no reason to be. Their first concern was to get the idea adopted in the government of Upper Canada. Hincks was the more recent convert, and he came to responsible government from a particular perspective. His first few years in Canada were more focused on establishing his career as businessman. He had become increasingly active in politics because the economic circumstances seemed to require better political direction. For Hincks, both as banker and Reformer, there was frustration with the established order--the province's economy was in poor shape because of the favouritism of the Tories and the financial depression of 1837, and constitutional associations seemed to have little effect on the general public. Responsible government could make economic planning more responsive to local conditions, as the decisions would made by businessmen.

For Baldwin, his brief tenure as an executive councillor had familiarized him with the practice of executive government, the necessity of cooperation between governor and council, and the value of the control of patronage. Both were well aware of the British arguments about ministerial responsiblity and both constantly assured their readers that Reformers wanted no more than what was already in practice in England. However, it appeared to Hincks that the Reformers needed some unity of purpose: a party built on the principles of responsible government and development would be much more formidable and appealing than the divided oppositionists of the pre-rebellion period. But the idea of interest-politics was not well-formed before 1838. Hincks' reaction to the rebellion was to leave Upper Canada and stsrt over in the United States. But Durham's mission and the possibility of change gave Hincks and the Reformers a new focus for their efforts. Still, Baldwin increasingly regarded responsible government as an end in itself - a principle around which the Reform party could rally. Hincks, by contrast, saw it more as a means to an end - a much broader scheme for building both the party and the province. The scarcity of the radicals after 1837 gave Hincks and the moderate Reformers much room to work.

Hincks was a strong supporter of Durham's administration, and "deeply lamented the sudden termination of his important mission."[37] Durham, who had only arrived in Canada on 27 May, left under a cloud on 1 November: the British rebuke of his policy of amnesty and transportation led him to resign precipitously. Though his Report, published in January 1839, advocated a union and colonial self-government, Durham's notion of responsible government was limited, and he recommended that four areas be kept in British hands: the constitution, regulation of foreign relations, trade, and the disposal of public lands.[38] The grant of responsible government was conditional on the basis of an English-speaking majority in the united legislature and a consequent anglicization of the French, whose culture Durham characterized as "stagnant". At the same time, Durham was concerned with the lack of progress, saying that "A very considerable portion of the Province has neither roads, post offices, mills, schools, nor churches." Perhaps this observation can be traced to the influence of the Tories and Montreal merchants who pressured Durham to reunite the colonies. Wherever Durham found his enthusiasm for development, much depended on how the British and colonial governments would pursue that end.

When the Report reached Upper Canada, it found much support from Reformers, and newspapers sprang up all over the province "advocating with more or less lucidity the principle of Responsible Government."[39] Hincks wrote in the Examiner that the Baldwins' principles had finally been "recognized by a Governor General of Canada." However, he disagreed with Durham's "conviction that there was an irreconcilable feud between the Canadians of French and British origin...." Contrary to most Upper Canadians, Hincks not only regarded Durham's recommendations of legislative union and responsible government as compatible, but believed that the second could be secured without the "annihilation of everything that is French." He thought that a union would promote the cooperation of those members, both French and English, who had similar business interests and political principles, and who could combine to form a majority.

While many historians have credited Hincks with exploiting the post-rebellion situation to advance the cause of responsible government, none have asked what use that principle would be put to. It is my contention that Hincks wanted to broaden the Reform party to encompass moderate businessmen and French Canadians. If the party was organized properly and used interest politics to the best advantage by appealing to both French Canadian survival and those who supported provincial development, it could control the united assembly. With such control, Reformers could dispense patronage, direct finances, and promote development. In order to accomplish this goal, Hincks began to correspond with Louis LaFontaine. He also worked with W.H. Merritt, businessman and recent convert to responsible government, who had pressed Durham to reunite Upper and Lower Canada for "the vital interest and future welfare of these provinces...."[40] Both worked to establish a united Reform party, but Hincks took the leading role.

Louis-Hippolyte LaFontaine, like Baldwin, was a 'diligent' barrister who had accumulated "a handsome fortune."[41] Although a carpenter's son, he showed much talent at the bar and advantageously married the daughter of Amable Berthelot in 1831. From 1830 to November 1837, he supported Papineau in the assembly, and in 1834 approved the Ninety-two Resolutions, the Patriote manifesto that denounced the Legislative Council and voiced other grievances. He also participated in the stormiest meetings and wrote violent anti-clerical pamphlets for the party. However, he broke with Papineau over the appeal to arms in late 1837, going to Quebec with Montreal merchant James Leslie to ask Lord Gosford to call the assembly. He then went on to England in an attempt to restore peace, and, accomplishing nothing, proceeded to Paris. On his return to North America, LaFontaine first visited Louis-Joseph Papineau at Saratoga in June 1838. Monet described LaFontaine at this time as skilfully "managing to star on both sides."[42] When the second rebellion began, Sir John Colborne, administrator after Durham left, issued a warrant for high treason and LaFontaine was arrested on 4 November 1838, held for five weeks without charge.[43] LaFontaine then became the spokesman and legal advisor of imprisoned Patriotes and former moderates, winning "the confidence of Canadian politicians and the respect of the government...."[44] He thus worked his way into the leadership of the Reform party in Lower Canada.

Perhaps the challenge presented by Hincks in 1839 appealed to LaFontaine as the moderate, constitutional solution to Lower Canadian difficulties. Perhaps, as Monet suggested, he was able to "identify his country's cause with his own ambitions and find all his sins and virtues invaluable political assets." It seems certain that interest was the most important factor. LaFontaine and the French Canadians saw the political advantage in allying themselves with the Upper Canadian Reformers. LaFontaine and his friends were also quite compatible with Hincks in a business sense. Monet noted that by 1840, besides "an extensive and influential clientele" for LaFontaine's law practice, "he and his partner Lewis

Thomas Drummond already owned a large block of houses and stores at the corner of Saint-Jacques and Saint-Lambert streets in Montreal, and two years later he purchased land on Rue Lagauchetière for £5,200."[45] LaFontaine was ambitious and clever, though "His cold, tense reserve" made for an aloof bearing, both socially and politically. He was a leader because no-one else at the time had quite the mix of qualities needed, but he was to some extent malleable.

On 12 April 1839, two days after the first part of Durham's Report appeared in the Examiner, Hincks wrote the first of many letters to LaFontaine. They are the best record of how the Reform alliance came about and what arguments Hincks used to secure the cooperation of the Lower Canadian Reformers. This Anglo-French entente, some have argued, is at the root of modern Canadian society. Older, whiggish accounts stressed the importance of the union and of the Reform alliance as vital developments in the struggle for responsible government, and indeed, as the cornerstone of Confederation. Even Donald Creighton admitted that "the supple and adroit Francis Hincks" had brought together French and English Reformers: he called their administration under Bagot, "perhaps, the greatest triumph of the old system of colonial governance...."[46] Monet argued that the French Canadians responded well to the challenge of 1840, and that by 1850 it was clear "that both French and English Canadians could live together in the bosom of a single state - and from this bicultural point of view, the protocol of 1867 was only a readjustment...."[47] Careless broadened the argument when he noted that "The experience of duality in the united province was vitally important for the British North American federation that followed", particularly the way it affected the Maritimes and the later western provinces.[48] Nevertheless, while Hincks is usually given credit for the initial groundwork, the focus of historians shifted to responsible government. Hincks' continued commitment to the French-English alliance is forgotten, and in fact most have argued that the entente was only revived later by Macdonald and Cartier.

Hincks began the correspondence by saying that while he did not know LaFontaine personally, he had "a high respect for your political and private character...."[49] Since the Lower Canadian press was "at present so completely gagged that it is no true index of public opinion", Hincks wanted to know the reaction of LaFontaine and his political friends to Durham's recommendations. He thought that both French and English Reformers ~~would be~~ satisfied by Durham's principles of government, though the union would not be so popular. He also assured LaFontaine that if the French Canadians could set aside "national objects", and were "really desirous of liberal institutions & economical government, the Union would in my opinion give you all you could desire, as a United Parliament would have an immense Reform majority." Thus, Hincks promised LaFontaine Upper Canadian Reform support to form a broader party for the purpose of obtaining responsible government. He did not agree with the Lower Canadian British party, who thought that the French Canadian party would be "destroyed in the United Legislature." But he argued that "if we all combine as Canadians to promote the good of all classes in Canada there cannot be a doubt that under the new Constitution worked out as Lord Durham proposes, the only party which would suffer would be the bureaucrats."[50]

LaFontaine answered Hincks quickly and ~~candidly: as~~ a French Canadian, he was naturally disturbed by the implications of Durham's union scheme and worried about such particular aspects as the legislative council, the unfair appropriation of the debt, the control of the revenue, language and the civil list.[51] Hincks frankly explained the views of the Upper Canadian Reformers, and at the same time tried to soothe LaFontaine, assuring him "that the Reformers of this Province have never attributed to you, any desire to promote national objects." While LaFontaine apparently approved of the "principles of government laid down in the report" (he had to be convinced again and again), he wanted a guarantee that they would be acted on. He agreed with most French Canadians, who believed that an elected legislative council - the reform they had struggled and fought for in the 1830s - was a more acceptable solution. Hincks disagreed, saying "that a really responsible Executive Council would accomplish all that we want in spite of the Legislative Council."[52]

In addition to securing responsible government, Hincks was concerned with promoting development of the provinces that were about to be united. He discussed control of the money from the wild lands, the "Casual & T[erritorial] Revenue", and the question of the debt. Upper Canada's accumulated debt was £1,200,000; Lower Canada's was £95,000. The united province was to take over both debts and Lower Canadians did not like the fact that they would have to pay for Upper Canadian extravagance. There had been some assurance that revenues would be "honestly applied to public improvement & strictly accounted for", so Hincks did not "think the point [was] worth contending for, and it would eventually come into our hands." Responsible government would take care of control of the purse. Hincks bluntly told LaFontaine that "you view it with too much alarm": "You have got the character of an anti-improvement people. I do not think so, but we are like our neighbours on the other side of the lake quite a 'go-a-head' people." Many Tories were arguing that the French Canadians were violently against improvements, but Hincks knew that this assertion was not true: LaFontaine and his friends were an increasingly important part of the Lower Canadian business community, a young group of urban businessmen eager to challenge "the older merchant and banking elite- usually tory and English-speaking...[and] to profit from urbanism, steam, and the changed political circumstances."[53] They simply objected to being burdened with Upper Canada's debt and to the reckless manner in which improvements had been built for the sake of building improvements. Hincks did believe that the Upper Canadian improvements, which had given rise to the debt, would eventually prove profitable, but agreed that they had had "a lesson that will do us good." He also approved LaFontaine's willingness "to submit and make the most of whatever happens."[54]

These first letters set the tone for the correspondence, which continued for more than two years. Hincks, who had set out to educate the public about the principle of responsible government in the Examiner, realized that a union would necessitate new political arrangements: Upper Canadian Reformers and Tories had never got along in the past and there was little chance of support for responsible government from the latter;[55] on the other hand, it was possible that the Lower Canadian Reformers could be induced to join with their Upper Canadian brothers to promote the principle for the betterment of both sections. It was Hincks' task to convince the French Canadian leader that if the Reformers joined together, they would have such a majority in the new parliament that "liberal institutions", "economical government", and development schemes could be secured. The correspondence was carried on in confidence and Hincks consulted closely with Upper Canadian Reform leaders- there were many expressions of Reform opinion in the letters and, undoubtedly, many meetings such as the one mentioned on 29 May 1841, when the Baldwins, John Dunn, Thomas Parke, James Small, James Price and Hincks discussed political affairs.

In the fall of 1839, Charles Poulett Thomson arrived in Canada to assume the governorship. He was a businessman: his family had been involved in the Baltic timber trade for over one hundred years. He was well-connected, a former president of the Board of Trade, related to the large banking houses, the Barings by marriage and Glyn, Mills by business.[56] Eight years before, he had led the fight to reduce colonial timber preferences so that the Baltic would again dominate the trade. Ironically, he was now sent to Canada to restore calm in the wake of the rebellions. He found most of the Upper Canadian Tories unalterably opposed to Durham's notions: Canada Company warden and author William "Tiger" Dunlop called responsible government "a trap set by knaves to catch fools."[57] However, the Reformers disagreed with the Tory assessment that the new system would not work. Hincks himself commented to LaFontaine after a visit to the country in early November, that there was "a determination to support no candidates but those who have been tried". The Reformers were faced with a dilemma in deciding to accept or reject the support of those former opponents who were advocating responsible government. As usual, Hincks was practical in his approach to this question:

> The new lights must be made use of but not entrusted with too much power. I feel certain that we can send a majority of decided men who will resort to every constitutional means to obtain self government as recommended by Lord Durham. This will I think be sufficient for good government, if not, United Canada will demand more, and will hardly be denied.[58]

Hincks was already demonstrating his willingness to use certain "decided" men. He advised LaFontaine to "Let the Tories fall into the pit of their own digging", since if the Lower Canadians could keep their Tory enemies in the wrong, they would soon be overthrown.

The next step for Hincks was to stand for election, and he was given the opportunity by the electors of Oxford, who knew him "solely through my editorials in the Examiner". In an address to those electors, dated 20 November 1839, he stated his principles. He supported union, British connection, municipal institutions, a sound education system, and laws to regulate foreign commerce. He only opposed endowing any religious body with public lands or money for support of their clergy. Finally, he stressed his position on public works and provincial development: "I am a zealous advocate for all practicable measures of public improvements, which are calculated to develop the resources of the Province, giving a preference, however, to the improvement of public Roads, on a systematic and uniform plan, as the measure of most importance to the agricultural population."[59] This attitude governed Hincks' approach towards improvements in the future, and reflected his interests at the time- his work as a banker and as a Reform journalist led him to the conclusion that the greatest boon for farmers would be for them to have the assurance that their government was helping them develop the province's transportation system. Such improvements would also facilitate merchants' activities. More cynically, it did not hurt for a potential politician to appeal to the practical concerns of the voters.

When Thomson went to Upper Canada in November 1839, Careless pointed out that "he presented his dispatches as proof that he was empowered to choose for his Executive Council men who would hold the confidence of a majority in parliament, and who in all local affairs would govern in accord with the wishes of the legislature."[60] When Hincks met Thomson, he told LaFontaine, the new governor admitted "the necessity of governing in harmony with a majority of the Assembly & also former misgovt." Hincks wrote that his confidence in a united legislature was unbounded:

> We can not be beat. Our Tories particularly Hagerman are savage at the prospect of the Union. They openly talk of preferring a junction with the Yankees, to one with you French Canadians. I confess their dislike of this measure rather encourages me & I hate the whole pack of them so cordially that I would almost support any thing that they disliked.[61]

Hincks was showing his frustration at the situation, but he quite agreed with Thomson's notion of a union founded "upon justice to all classes". He also realized that the political situation required some flexibility amid all the changes that were occurring.

Despite Hincks' efforts to convince LaFontaine that the Union should be supported regardless of its details, that it was the best chance for Reformers to secure a majority and French Canadians their survival, LaFontaine was still hesitant as late as December 1839. Indeed, he apparently suggested that the measure should have been opposed and a dissolution sought. Hincks said that he would have agreed except that the people were "so disheartened" that they could not be trusted to turn out for an election. He confessed that while he was beginning to lose confidence in the governor general, he was "very unwilling to break with him if it can be helped." He again attempted to allay LaFontaine's fears about the debt and Upper Canadian improvements, the proposed representation, the Legislative Council and the civil list. Upper Canada's improvements would ultimately pay and Lower Canada would gain "as much advantage by them and indeed more than the greater part of U.C." He noted that the St. Lawrence canal needed to be finished and held out the enticement that improvements could be made in Lower Canada "before any more were done here...." In short, the Union "as proposed is the best plan to effect our common object."[62] According to Monet, LaFontaine "surrendered" to the principle of responsible government in December.[63]

However, no-one yet knew that Thomson intended to institute a non-partisan system - his early actions, particularly in forcing the Lower Canadian Special Council to accept the union resolutions, seemed autocratic and Tory. While Thomson's professions about governing responsibly could be carried out in a non-partisan way, the Reformers believed that party was important. Hincks was working to make the united Reform party an effective instrument. After late 1839, he was concerned with getting decided politicians who were committed to interest politics, even though he realized that rigid lines were impossible:

> Here a great amalgamation of parties has taken place. Persons who were Tories have become thorough Reformers & we of course cooperate with them. Though some of the individuals would not be trusted with us, there are town & counties where a thorough Reformer could not be returned where these moderate men professing the same principles can get in and keep out Tories.[64]

Hincks was rather less worried with labels than results and he was anxious that those avowing the same ideas should be used to achieve the Reform goals. A few of Hincks' "decided men" were businessmen: Walker Powell was a warehouseman and shipping agent; James Durand, James Morris, John Cook, and Samuel Crane were merchants. These men had supported the party in the past. Hincks hoped that merchants like Isaac Buchanan and Malcolm Cameron would join the cause. But in 1839, the best example of the kind of candidate Hincks sought for the new Reform party was W.H. Merritt. He had supported the Compact and was a prominent Conservative MPP, local JP and militia colonel, promoter of the Welland Canal and Grand River Navigation Company. He came over to the Reform party after Lord Durham's visit because of the principle of responsible government. Merritt's primary interest was development, and Hincks was quite prepared to use him to support both responsible government and economic growth.

During 1840, the Reformers of both provinces began to meet each other to work out the strategies they would employ in the elections and when the parliament finally met. In May, Hincks wrote a letter of introduction to LaFontaine for W.H. Merritt, who was called "an influential member of the Reform party of this province...."[65] Merritt and Hincks agreed on the potential of the Union. Merritt had written to Charles Buller and Durham in 1838, arguing that the united legislature of the state of New York had "completed the most gigantic improvements", while the Canadas' divided legislature, "possessing every natural advantage, with the most magnificent water communication in the world, has not, up to the present moment, finished any one improvement."[66] Merritt met LaFontaine, Charles Mondelet and a few others after 19 May, when he wrote in a short note that "the sooner Canadians, whatever may be their origin, can repose confidence in each other, the better for the mutual benefit of all."[67] Merritt was underlining Hincks' argument that the Union would give Reformers all they wanted, as well as provide a stronger base for provincial development. Hincks' policy was paying off, as businessmen like Merritt were adding their voices to the call for concerted action that would promote their mutual interests.

Hincks wrote LaFontaine on 17 June after "conversing at some length with Mr Merritt whose general views I am happy to find accord with your own." He added that though "Merritt is a recent convert to Reform principles and one in whom many of our friends are not disposed to place confidence", his opinion was that Merritt was "sincere and I think it bad policy to show distrust of those who can at the eleventh hour see the error of their ways." The fact that Merritt was introduced to LaFontaine against the wishes of some Toronto Reformers, shows that Hincks' views carried considerable weight: the party had to broaden its appeal and accept newcomers or it would not go very far. Hincks also continued to press LaFontaine, saying that "You must see the advantage of getting a Reform majority in this Province as well as in yours so as to silence all cavilling on the score of national origin." He thought that "by a little management we shall get good men and true", and though "a few persons in whom we have little confidence" would have to be supported "to keep out the Tories...in every place where the Reformers have a decided majority, undoubted men will be returned."[68] According to Hincks, the prospects seemed to be improving.

LaFontaine did visit Upper Canada in late June and early July, stopping at Toronto and passing through St. Catharines. Merritt was absent on business, and was sorry to have missed the opportunity of introducing him to local friends and showing him the Falls and Niagara, which would have given him "an Idea of the importance of our Canal." Yet Merritt was optimistic that he would soon see much more of LaFontaine in the "United Legislature, and I feel so sensibly that we have but one common object in view, the Interest of Canada, that I am under no apprehension any real difference of opinion will exist on any prominent measures to attain that end. By "prominent measures" he meant development measures, and he suggested that the French Canadian papers should better inform themselves on "the importance of the St. Law[rence] Canal."[69]

These letters and meetings were partly to convince the Lower Canadians of the necessity of cooperation, and partly to discuss tradeoffs. The Upper Canadians sought support for economic development, and Lower Canadians pressed for political and cultural protection.[70] But the situation was not quite so simple: Hincks and Baldwin certainly sympathized with French Canadian goals, but they had important political aims of their own. At the same time, LaFontaine and his supporters were not averse to development - the backwardness of French Canadians in this period has been overstated. There were also differences among Reformers in both sections. Hincks tried to convince Merritt, for one, that the French Canadians had to be treated fairly. In noting that the union's object was to put down French Canadians, Hincks argued that "Allowances must be made for these [anti-union] feelings and if we wish to see a state of harmony & prosperity we must try & soothe them."[71] Rather, Hincks argued that responsible government would bring mutually beneficial results - all their interests could be protected and enhanced. He pointed out to LaFontaine that "You want our help as much as we do yours."[72] As far as Hincks was concerned, the relationship between politics and development changed with circumstances. Up to mid-1841, Hincks was probably more interested in the establishment of responsible government and the creation of an English-French party. Development was a longer-term, underlying goal that was important to him because of his business background. He reasoned that if the Reform alliance could be established and if responsible government could be forced on the governor, Reformers could control development. When this course failed in the short term, Hincks had to decide whether he should stick to Baldwin's narrow path or try to take what was offered.

By mid-1840, though, it was apparent that Thomson was attempting to form a moderate government subservient to his will.[73] Robert Baldwin had joined the Executive Council in February, but the Tory councillors were not dismissed. Hincks admitted in May that he was "thoroughly perplexed" by the policy of Lord John Russell and Thomson, but that Upper Canadian Reformers "are *all* of opinion that Mr Thomson has broken faith with us, and shamefully deceived the Reform party." He added that he "always had *my misgivings* and I did not scruple to express them boldly in private but the Reformers generally thought me too violent & too suspicious and an anxiety to keep our party together kept me more moderate than I would have been."[74] By November, Hincks was publicly criticizing Thomson, newly created Baron Sydenham, and was making Baldwin's position in council uncomfortable. Hincks wrote an editorial saying that the Lower Canadian Reformers had "just ground for complaint" because the Upper Canadian Reformers were silently endorsing the Governor General's policies, which were "*monstrously oppressive and unjust*."[75] Baldwin objected and he and Hincks almost split. In this instance, Hincks seemed ready to break with his Upper Canadian friends over their lack of support for the French Canadians: he considered the French Canadian alliance more important than Baldwin's council seat.[76] LaFontaine perhaps reflected Hincks' suspicions when he refused to join the Executive Council early in 1841.

As a counter to Sydenham's system, Hincks was working towards a two party system and trying to get a majority for his own. The Reform party would have "confidence in the people" and would apply "the principles of Executive government and of legislation, favour all propositions for the extension of public liberty, so far as is consistent with order and security...." The other party, which distrusted "the judgement and virtue of the people," sought "to confine the rights and powers within the narrowest limits compatible with contentment and obedience."[77] Sydenham wanted nothing to do with parties, and Hincks objected to his attempts to form a coalition. He denounced the unprincipled Tories and political moderates whose only object was "to maintain themselves in power...." Such an alliance had no guiding principles, he argued: there was "no principle, but this--that they support the Government thro' thick and thin!"[78] Hincks was busily trying to consolidate the Reform party and prepare for the challenges put forward by its opponents. Hincks opposed the governor at this point for three reasons: Sydenham's notion of responsible government did not match that of the Reformers; French Canadians were kept out of the Executive Council; and there was as yet no indication of his policies to deal with the debt or provincial development. Thus, the Reformers began to plan their election strategy during the summer of 1840, regarding the governor as an opponent. Hincks was eager for "the death struggle of Toryism."

On 23 August, Hincks agreed with LaFontaine that they would be playing a dangerous game if they allowed Thomson to select his own candidates. The Upper Canadian Reformers were working "to secure the return of tried men who in 1836 proved that they would be faithful to the cause of the people." The main concern was not to get businessmen, as Hincks was not in control of recruiting. The Reform leadership sought to get politicians who had already proven themselves in the House. Hincks did agree with LaFontaine "in thinking the first session of the Leg. the most important one, but *after the elections* we shall have time to consult and prepare for the session."[79] At the same time, Hincks relayed a letter of support and encouragement he had just received from a member of the Imperial Parliament who advised that the Reformers should not force recognition of the principle of responsible government, but should "Be content if you are always making some way *on the whole towards* your great end."[80] Hincks thought that the Reformers should go slowly and that they should "not be *too hard* upon such persons who are now willing to be our servants if we will make use of them & whose talent & influence may be of use...."

Such exchanges of confidences served to bring the two parties closer together. Indeed, while Antoine Gérin-Lajoie noted that many Lower Canadian Reformers wanted to abstain entirely from politics,[81] after LaFontaine's visit to Toronto, the Reformers' intentions of working together were well known. The French Canadian Reform leader's address to the electors of Terrebonne reinforced his followers' resolution to work for responsible government with the Upper Canadian Reformers. Thus, when Hincks returned LaFontaine's visit with one of his own to Montreal, he was openly welcomed and entertained at a banquet in LaFontaine's home, where the guests included prominent politicians and businessmen like Charles Mondelet, C.S. Cherrier, G.-E. Cartier, L.T. Drummond and D.B. Viger.[82] Slowly Hincks' correspondence and editorials, as well as the conversations during visits, were convincing LaFontaine and his associates that the Union could be made to work for their benefit. And they, in turn, were beginning to spread the message to the voters. Hincks did think that it was "hard to be compelled to act with corrupt and unprincipled men but it is very difficult to avoid it particularly when the people place them in situations where they can have influence."[83] He also pushed LaFontaine to be more flexible, and though it took some time, Hincks convinced the stubborn LaFontaine that he could not sit and watch-he had to be willing to carry out the Reform strategy to wrest responsible government from a governor who had his own political designs and to follow through as a united party when the occasion demanded action.

Hincks spent the time remaining before the election in Oxford County. He arrived in Woodstock in a carriage pulled by six horses, decorated with banners which proclaimed "Hincks and the British Constitution". His opponent, John Carroll, conceded after six days and Hincks was declared elected.[84] Baldwin was returned for both Fourth York and Hastings County, and Merritt was returned in Lincoln. LaFontaine's election was not very peaceable, and rather than countenance any violence, he withdrew from the contest, protesting that "Glengarian bludgeon men" had prevented his supporters from going to the poll.[85]

While the Tories and Conservatives were beginning to plan for the meeting of Parliament, the Reformers were also busy. Hincks wrote two letters on 6 April, the first seeking Merritt's opinion on what tactics should be used by the Reformers, so that he could "regulate" himself accordingly. He was concerned with the difficulties of keeping the party together, as "I am set down by many of our new converts as being very violent...." However, he noted that he was "a good party man" despite "the abuse I have received and the sacrifices of my own views to accomplish this object...." Both he and Baldwin thought that there should be "some meeting to talk over matters", at which the first question would be the speakership.[86] To LaFontaine, Hincks wrote that the Lower Canadian members should meet and asked whether he and Merritt could attend. He was promoting Austin Cuvillier, a Montreal businessman, as the best candidate for speaker.[87]

In a letter to LaFontaine, Hincks went fully into the Upper Canadian results as he saw them: nineteen Reformers of principle were returned, including nine who had stopped the supplies in 1836 and Baldwin, who held two seats.[88] Hincks put seventeen under the heading "Governor General", eight of them Reformers who might go with a strong majority, but who "would be politically ruined by departing from the other Reformers".[89] And he added five Tories, all of whom were "inclined to oppose" the governor.[90] Hincks was therefore optimistic that the Reformers would have a majority when Parliament opened: "You will see that with our honest 19 if your 6 contested elections were made right, we should have a majority of decided men & many others would fall in."[91]

The increasing attraction of businessmen to politics is a consequence of Sydenham's strategy of getting moderate, like-minded men to put aside contentious politics and concentrate on developing the economy. Hincks carried through with this effort, and his success will be measured in the ensuing chapters. One yardstick is the kind of men that came into politics. Overall, those elected to the first united parliament included twenty-six lawyers,[92] five more lawyers who could be considered businessmen,[93] nineteen businessmen,[94] eleven public servants,[95] eight doctors,[96] four farmers (including one seigneur),[97] and six journalists.[98] Nine others, mostly from Lower Canada, cannot be accounted for.[99] The professions were heavily represented in Lower Canada, while there was more diversity of occupations among Upper Canadian members. Of those who considered themselves Reformers, there was also a wider range of occupations. However, the results were skewed by those who intended to support the governor: of those listed in Paul Cornell's tables as supporting Sydenham, seventeen were lawyers, fifteen businessmen, nine public servants, two farmers, one engineer, one journalist, and six are unknown.[100]

The opposition to Sydenham was very diverse, including twelve lawyers, one more with considerable business interests, three businessmen, four doctors, two farmers, two public servants, one journalist, and three unknown. Such a mix made strategy important: Hincks proposed Cuvillier as speaker because his views were almost identical to those of LaFontaine, and because he would be supported by "all the liberal party here." LaFontaine evidently wanted the position to go to A.N. Morin, his Quebec lieutenant, but Hincks argued that Morin was "one of the most uncompromising" of the Lower Canadian party, that the leader of a party should not be speaker when he might become a member of the government, and that in any case the office required no extraordinary ability: "Only think of the effect of electing a Speaker opposed to the Union bill & to the present L.C. administration & in favour of Responsible Govt. It would be a death blow to the Tory party."[101]

There was some disunity among Upper Canadian Reformers who had different ideas about the timing of their strategy. The same was true in Lower Canada, and Hincks thought that T.C. Aylwin and John Neilson in particular were unduly criticial of his opinions. However, Morin praised Hincks' "frank, comprehensive, and to me satisfactory" letters. In outlining the parties that would meet in the new Parliament, Morin argued that the "most natural alliance" was between the Reformers of Upper and Lower Canada: "...natural justice on the one part, and common ideas on the other will bring an understanding even on [the Union]."[102]

In order to clear up any outstanding differences, Baldwin visited Lower Canada in May and "was much pleased", Hincks reported to LaFontaine: "...he has cheered us with the hope that our party will be kept united."[103] Ideally, Hincks hoped that some Executive Councillors would "announce their convictions" before the session began, force the dismissal of the Tories "so as to secure for the govt the confidence of Reformers of both sections", and, if Sydenham would not succumb, tender their resignations. However, he realized that the councillors "would rather the House take the initiative by voting want of confidence." Consequently, Hincks prepared LaFontaine for Baldwin's resignation, saying that he did not think that Baldwin would be connected with the government by the time the House met. Hincks also reported that several of the leading Reformers had recently met, declared themselves for "justice to L.C." and expressed a lack of confidence in the four Tory councillors. Still, they could not agree on the best mode of effecting a change. The Baldwins, James Price and Hincks "were decidedly for not acting under any circumstances" with the councillors. John Dunn, Thomas Parke and James Small did not want to follow an extreme course and were willing to get "good measures" from the present men. Hincks hoped that the Reformers would support Baldwin's position, and again professed his moderation, but said "it must be real moderation not trifling with principles. We must know at once whether the coalition has a majority or not...if they have not...The veil will at any rate be torn aside."[104] On 13 June, the day before the session opened, Baldwin demanded

French Canadian representation on the council. He failed to obtain any support from his colleagues and submitted his resignation. The Reform party had thus suffered its first setback even before Parliament met; so too had Sydenham.

The first week of the session went badly for the united Reform party. Cuvillier was nominated as speaker by Morin, seconded by Merritt, but Sydenham avoided confrontation by having his supporters agree. Cuvillier's election was unanimous, even though Hincks tried to inject controversy into an otherwise congenial atmosphere by giving the reasons why he supported Cuvillier. One of them was that the speaker-to-be "had no confidence in the provincial administration as at present constituted."[105] David Thorburn mentioned that, among Cuvillier's other qualities, "almost every merchant in Upper Canada knew him, and had always found him a high-minded man of the strictest integrity." By the end of the first day, Hincks was already suspicious of several "soi-disant Reformers" who had voted against Baldwin.[106] Sydenham also began to work quickly on the Reformers. Thomas Parke was appointed Surveyor-General on the second day of the session; Anthony Manahan was offered the position of Collector of Customs for the port of Toronto at the same time, and he vacated his seat on 18 June.

Sydenham's most successful manoeuvre, however, came in the speech from the throne. As many Canadian politicians were concerned with provincial development, Sydenham appealed to their interests. When the speech held out the prospect of improvements to the postal service, education, local self-government and an Imperial loan of £1,500,000, wavering members were brought in line. During the debate on the reply, Hincks, Baldwin and a few others tried to elicit "a candid and explicit statement of the principles upon which the government was to be carried on." After a long discussion, Attorney General Draper finally admitted that he would resign or dissolve the House if the government could not command the confidence of a majority of the House.[107] When the vote was taken on the reply, Hincks and Baldwin were supported by only four members from Canada West. Hincks was disgusted.

After the Reformers' bid to gain control of the assembly had failed, whatever unity there had been seemed to fall apart. Hincks reported to LaFontaine on 29 June that there was a rumour about Morin taking office, which, "Under other circumstances I would have rejoiced...as it is, it grieves me deeply, in short destroys all my hopes if indeed I had any left." He expressed his disgust with the Upper Canadian Reformers, and resigned himself to waiting for public opinion to "bring the renegade Reformers back to their first faith." In the meantime, "We will get some good measures passed I trust particularly a good election law."[108] Thereafter, Hincks got more and more caught up in securing "good measures" and drifted further away from his old friends, voting against Baldwin and the others on a number of questions.[109]

By September, Hincks had separated from the Reformers. He left party behind and fully supported Sydenham's development plans. Though this does not mean that development was necessarily the most important end for Hincks, he was realistic enough to realize that the opportunity to achieve some good should be seized when offered. Party could be put off to a more appropriate time. He defended his position in the Examiner, writing on 8 September that "if we are at present unconnected with party it is because we are not aware of the existence of any party unless it be the ministry and their supporters."[110] One week later, he explained that since a united party had "signally failed", he had long advocated that it should be "the policy of the Reform party...to give the existing administration such a support as would enable it to carry out liberal measures...."[111] Thus, by the end of the session he wrote that the united party "has long ceased to be an organized party, and...can never be revived except on broad and general principles well understood by the people."[112] Hincks blamed the failure mainly on the "several gentlemen who must be considered active leaders of the Lower Canadian Reformers":

> Lower Canada politics are indeed a mystery to us. In some instances the contrasts are most singular. The Liberals of Lower Canada send us Messrs. Neilson, Aylwin, Berthelot and Burnett as Reformers, while the Tories send Messrs. Sol.-Gen'l Day, Black, Dunscomb, Holmes and Simpson.- Without in the least adopting the opinions of the latter gentlemen, we hesitate not to say that they are many degrees more liberal than the former.[113]

This excerpt is an indication that Hincks was concerned with the character and background of MPs, and that labels like Reformer and Tory were not the deciding factor: the former group was composed of nationalists; the latter group was composed of businessmen-politicians. He was also making new friends, such as moderate Conservative Benjamin Holmes, a fellow Irishman, Unitarian and banker.[114]

Hincks' financial abilities were recognized by Sydenham when he was appointed chairman of the Committee on Currency and Banking, but their developing relationship was ended by the governor's sudden death. Sir Charles Bagot, Sydenham's replacement, was appointed in late September 1841, partly as a result of Charles Buller's advice that a governor of Canada needed to be humane towards the French, and partly because he would function as "Ambassador to the United States."[115] After his arrival on 10 January 1842, his first two priorities were to complete the public works and get the university off the ground- the first "will ere very long, bring the whole trade of the West thro' this colony and render almost unavailing the $40,000,000 which the State of New York is now spending upon its certainly magnificent Canal of Lake Erie-"

With regard to appointments, Bagot intended to follow Sydenham's system. Yet he asked Colonial Secretary Lord Stanley in February whether his "list of names for Legislative Counsellors startle you", as there were "certainly some fierce old firebrands among them", though "much fiercer" had been suggested to him:

> I shall perhaps startle you still more when I tell you that I have seriously in contemplation to appoint Mr Hincks of Toronto, the Editor of the Examiner, by far the best written paper in this Country, to the new and very important office of Inspector General- He is at heart radicalissimus- but he supported Sydenham's government, and says he will support mine, and he has quarrelled with his friend Baldwin- But my reason for thinking of him is, that I am assured, and I believe, that there is no other man in this Country so fit for the post- He is extremely clever, and has the reputation of being a perfectly honest man, and, as Inspector General, he will have it in his power to check and control, to a great extent, whatever abuses may exist in the management of the revenue.[116]

Though Bagot was probably influenced by his predecessor's observations, he intended to counterbalance Hincks' appointment by naming J.S. Cartwright to the office of Solicitor General. Cartwright, when asked, "arrived at the conclusion that I cannot accept Office with Mr Hincks. I admit his talents but it will be impossible for me to form a part of the same Government with him."[117] In his reply to Cartwright, Bagot stressed "the very superior talents of Mr Hincks...", and expressed his disappointment that outdated "party struggles" prevented Cartwright's acceptance.[118] Party spirit thus intruded on Bagot's attempt to keep the non-partisan system he had inherited.

Bagot's decision also put William Draper in a "peculiar and I may add (to myself) painful position." He wrote the governor that one "week before Lord Sydenham's death, in the last interview I had with him- he propounded Mr Hincks appointment to me, as a thing per se: I begged 24 hours to reflect & my answer was a respectful tender of my office." Sydenham directed that "the letter should be returned and that the matter should be treated as a mere unofficial communication between him & me & with this explanation I received back my letter after his death."[119] Draper told Bagot that he had gone to "all possible and proper lengths" to agree to a joint offer to Cartwright and Hincks, but with Cartwright's refusal,

> every moments reflection more and more strongly convinces me that, not only should I be useless to the Government...but even an incumbrance- I should bring no party- command no respect- influ-

> ence nobody- and fill a situation that had better be occupied by one who would not labour under similar disadvantages and in connexion with whom a Solicitor General might be more easily found.[120]

He wondered if Hincks might be given a "department without having the additional duties of Executive councillor", but did not know what Bagot had offered. He also wondered if Hincks' appointment could be kept quiet for a while longer so as not to interfere with an offer to Tory lawyer Henry Sherwood. Bagot responded to Draper on 12 June that he had offered Hincks the department "coupled with a seat in the Council." There was no question of withdrawing the appointment, or tying Hincks' appointment with another. When Bagot wrote Stanley on 12 June that he had appointed Hincks, he was quite flattering: "Mr Hincks is an Irishman of considerable ability, indisputably, and without any comparison, the best public accountant in the country- and who has, I believe very deservedly, the reputation of being a perfectly honest man in all matters of that kind."[121] Their working relationship thus started off on the best of terms.

In accepting a government appointment, Hincks was moving another step away from party in his concentration on "good measures". The reason why the question of party again came to the fore was that the government realized it could not continue when representatives from French Canada were excluded. By mid-1842, both Draper and Harrison were arguing the necessity of bringing French Canadians into the Executive Council. Harrison wrote a letter to Bagot on 11 July outlining his view of the state of affairs, and concluding that the government would be defeated on a vote of want of confidence unless the French Canadians were brought in:

> At the time the arrangement was made by which Mr Hincks and a conservative were to be taken into the government, two plans were under consideration. The one went the whole length of attempting to carry the french in a body with the Government:-to do which it was necessary to take in Mr Baldwin...The other- which was a modified plan- sought the requisite assistance- from strengthening the liberal interest by taking in Mr Hincks: acquiring conservative influence by the adhesion of a conservative of Canada West: and attaining french

> support by enlisting Mr Cherrier or some influential frenchman- The object being to attain in the aggregate an effective working majority.[122]

However, the second plan had failed and Harrison recommended that Bagot negotiate with the French Canadians, meeting "the difficulty at once whilst that controlling power is still in your hands,- and do that voluntarily which there is reason to be satisfied must eventually be done by compulsion."[123] Draper, in a letter of 16 July, agreed, and made available his office so that two French Canadians could be asked to join the administration.[124]

These arrangements and discussions were going on while Hincks was securing re-election in Oxford.[125] At the same time, Sherwood was also seeking re-election in Toronto. When the Examiner attacked Sherwood's appointment, Hincks thought it necessary to write Bagot saying that he had "at present no controul over the Examiner but he entertains no doubt that that journal will support the administration although it may find it expedient not to express satisfaction at the appointment alluded to." Hincks also took the opportunity to disclaim "personal feelings towards any gentleman connected or likely to be connected with the administration, and when called upon to express an opinion regard[in]g the politics of the country he will be guided solely by a desire to strengthen the administration of His Excellency."[126] He had come a long way from the partisan role he had played the previous year.

It is not clear what role Hincks played in the restructuring of the government.[127] There is little evidence to shed light on what advice he might have tendered, although he had made it clear in the past that the French Canadians had to be on the Council. He did say that after he had joined the council and ascertained their views on policies, "especially in reference to Lower Canada", he found no differences with his own view.[128] Yet the French Canadians refused all offers to join the administration until after the House convened, as they wanted Baldwin included in the deal. Bagot, pushed by his council, finally made a generous offer to LaFontaine on 13 September, and when that was refused, he had Draper release the offer in the assembly, a move that forced the Reformers to accept. Since the new ministers in the LaFontaine-Baldwin government had to be re-elected, they did not take their seats during the session, and thus little was done.

Hincks and the Reformers did not hold office long enough to effect many changes. Some important beginnings were made, including the repeal or amendment of acts of the Lower Canadian Special Council and of Sydenham's administration. Such actions were recognition of the French Canadians' new position in government. The most important concern for Hincks was economic development and the question of finances. Hincks put a duty of three shillings per quarter on American grain brought into Canada to protect Canadian agriculture.[129] He was also involved in the decision that the £1,500,000 loan to Canada from the British government would be put into public works, and that it would not be used to reduce the public debt.[130] He wanted to use the money to promote canal and road building, thus encouraging provincial development. Hincks was able to begin reforming the system of account-keeping in the Receiver General and Inspector General Offices, as well as the customs service.

Early in 1843, Hincks asked Baldwin whether there would be "an enquiry into the manner in which the Books of account are kept in the offices of the Receiver and Inspector General...", and if one was not forthcoming, he would "bring the subject officially under the notice of the government...." He protested "against the books being kept on any principle but that of double entry" and asserted that "The balance of public money [£80,000 at the time] should not be allowed to remain in the hands of the Receiver General as at present." Hincks' attempts to reform the system were complicated by his personal difference with John Dunn, who had been persistent in saying that Hincks had been "implicated in the insurrection of 1837."[131] However, Hincks got Baldwin to back him and action was taken.

The terminal illness of Bagot and the arrival of Sir Charles Metcalfe affected Reformers' plans considerably. The Reformers were certainly happy that the Imperial government had given a preference to the importation of Canadian wheat and flour into Britain. During the 1843 autumn session, which lasted about two months, the Reformers passed a number of measures: Hincks had often written about broadening the education system[132] and a Common Schools Act was passed; a non-sectarian University of Toronto was proposed but never passed; and a Secret Societies bill passed, but was unexpectedly reserved by Metcalfe and disallowed by London. Perhaps the most important economic measure was the decision to move the capital from Kingston to Montreal, a reflection of that city's economic importance and size.

The final stage of Hincks' political apprenticeship occurred after the ministers' resignation in November, 1843. Though he had not been the strongest defender of the Reform party since mid-1841, this was a party matter. Hincks was so busy writing letters and pamphlets and speaking across the province at various dinners held to support the Reform cause, that it was perhaps a natural step for him to move to Montreal and take over editing the Times on 13 February 1844. He had foreseen a move to Montreal and the need for an English language Reform paper there in 1839.[133] Shortly after arriving, he arranged for his friend Benjamin Holmes to resign his seat, thus opening it up for a byelection to test the Reform, as well as government, strength.[134] Hincks took a leading role in bringing together the French and Irish, and he also used Irish canal builders to support the Reform cause with sufficient force to win the election by a large majority. It was a crucial election for the Reformers and a blow to Metcalfe and the Tories, whose candidate, William Molson, could not match the popularity of the fluently bilingual Irish Catholic L.T. Drummond, LaFontaine's law partner. After the election, Hincks began his own paper, the Montreal Pilot and Evening Journal of Commerce, backed by businessman Theodore Hart, also a Unitarian, and later supported by the Reform party.[135]

Hincks and Baldwin were not entirely correct when they thought that Drummond's victory would "have its powerful effect in UC." Reform support was not a problem in Lower Canada, and while the strong-arm tactics used in Montreal may have backfired in Hincks' Oxford riding or in the general election, Hincks was not very concerned. He told Baldwin in May that he was not aware that he had "said anything that the Scotch have a right to complain of- Here [in Montreal] however they are as a party all against us- But then they are Tories."[136] There may have been more to the "Scotch" reaction than the fact that they were Tories: there might have been ethnic reasons why Hincks was unpopular- a prejudice against the Irish, or just outsiders. It was something Hincks would have to guard against, and he did not yet realize its force.

Hincks declared in May 1844 that his ambition was satisfied: he thought that he would be better off fighting the Reform cause in the Montreal press rather than going back into office.[137] He did run in Oxford in the November elections but both Tories and Scots got some measure of revenge by defeating him and narrowly electing Robert Riddell. Hincks complained that as Oxford was "an agricultural county with no merchants or professional men at the villages", it was at a disadvantage when compared with towns like London.[138] In the future, he would seek to alter this state of affairs so that all areas of the province would have in place a group who would push for development. The election was contested by the Reform electors but the ministry used delay and patronage against Hincks: J.P. Roblin accepted three commissions in Prince Edward County to vote against Hincks in committee in 1846.[139]

Although out of elected politics, Hincks was still very close to the action. Hincks had a run-in with Ogle R. Gowan, Grand Master of the Orange Order, who complained that an early number of the Pilot had misrepresented him, and threatened a duel if the name of the correspondent was not revealed. Gowan was mollified by Hincks' reply and the matter dropped, but perhaps Hincks treated him gently for political reasons.[140] His attitude to the Orange Order was likely changing, as he realized its popularity with the Irish Protestant immigrants, as well as the fact that it was an effective force in rallying the Irish vote.

Another revealing example of interest politics and an attempt to exploit the weakness of the opposition concerned Sir Allan MacNab, who was having business, personal and political problems.[141] The political issue was MacNab's acceptance of the position of Adjutant General of Canada, though he objected to the appointment of one of the proposed deputies and he returned his commission: Draper considered that action a resignation from the position, which, since it had been accepted, also meant that MacNab had forfeited his seat in the House and his position as speaker. MacNab was furious with Draper and went off to England "swearing dire vengeance".[142] Hincks supported MacNab in the Pilot, while Reform leaders considered for ten months the possibility of a union with MacNab and some of his friends.[143] As Hincks had a considerable part to play in the Reform treatment of MacNab, he never forgot the possibility of combining, when circumstances were right, with MacNab and his friends. But in 1847, there was not enough common ground to form an alliance.[144]

Hincks, though, had manoeuvered the Reform party into an enviable position. He had taken the theoretical idea of responsible government and made it the cause of the Examiner. He had made that principle the basis of the Reform alliance with the Lower Canadians, and he had convinced them to join in a united Reform party to achieve their goals. His approach was mainly based on his perception of British parliamentary practice, where two discernable parties, Whig and Tory, controlled the political situation and exchanged power depending on the appeal of their policies and the caprice of the electorate. Party was even more important in the United States, where politicians like Martin Van Buren had made it a powerful force dedicated to winning power and keeping it through organization, control of the press, and patronage.

There was certainly much organization in the period leading up to the election of 1841. Such attempts at concerted action were not new, but Hincks and the other leading Reformers in both sections tried to focus the campaign on the principle of responsible government and the British constitution, although they met their match in the person of Lord Sydenham. As for the press, Hincks' Examiner was the organ of the Reform party and its editorials were copied by the regional weeklies. In this way, Reform policies were given wide coverage, and led to Hincks being asked by the electors of Oxford to stand for their county at the first election. Reformers did not ignore patronage, but had to wait until they controlled the Executive Council under Sir Charles Bagot before they could take any action in this area. Despite the demands put upon the leadership for apppointments, Hincks advocated an even-handed approach to patronage in order to keep on good terms with the Governor General. This was even more apparent under Metcalfe, but Hincks' arguments, aimed at conciliating both the governor and Reformers, were not effective. The party, or rather Baldwin and LaFontaine, decided to take a stand on principle, and resigned in late 1843. At this point, Hincks chose to continue the battle, moving to Montreal and starting up the Pilot and directing the organization of the party from the new capital. His efforts, and those of others, would pay off with victory for the party in the elections of 1847-8.

In orienting the party towards the princple of responsible government, Hincks was more concerned with the practical applications that could be made of it. There is no doubt that the principle was used as a drawing card for the party, but such an approach only appealed to those who were concerned with constitutional development. Hincks' purpose was to broaden the party. He certainly had to be concerned about solidifying the base of the Reform party, and as we shall see patronage was used to do so. However, he also wanted to bring into the Reform fold moderate Conservatives and businessmen, those he referred to as the respectable parts of the middle class.[145] Interest politics were very much on his mind. He sought to appoint "men of good character who had done work in the world & were at the head of their own business...[and] who have acted with the Conservatives...." If the Reform party was then criticized for its appointments, "the Tories...will *hit their own* friends & unite them on that point with us."[146] Another means of attracting support was development policies, and Hincks hoped that the party, by pursuing projects to develop resources, transportation and finances, would draw more strength from the business community, which had been traditionally Tory, and from those who would benefit from the development of the province. It was to these goals that Hincks directed his attention, and he, more than any other Reform or Conservative politician, made interest the basis of political life in Canada.

[1] See David Mills, "The Concept of Loyalty in Upper Canada, 1815-1850", Carleton, Ph.D., 1982.

[2] Sir Francis Hincks, *Reminiscences of His Public Life* (Montreal, 1884), 7.

[3] Sir Leslie Stephen and Sir Sidney Lee, eds. *Dictionary of National Biography* (Oxford, 1921), 9: 890-2.

[4] Ian d'Alton, *Protestant Society and Politics in Cork, 1812-1844* (Cork, 1980), 8. Ninety-five per cent of the county and eighty-three per cent of the city of Cork were Roman Catholic.

[5] R.S. Longley, *Sir Francis Hincks* (Toronto, 1943), 7.

[6] G.M. Adam, *Canada's Patriot Statesman: The Life and Career of the Right Honourable Sir John A. Macdonald* (Toronto, 1891), 155.

[7] Hincks, *Reminiscences*, 9-10. There is no mention of his meeting the Baldwins or anyone else.

[8] *Ibid.*, 15.

[9] *Ibid.*, 5-8.

[10] Norman Gash, *Politics in the Age of Peel: A study in the Technique of Parliamentary Representation, 1830-1850* (Hassocks, 1977), 111.

[11] d'Alton, *Protestant Society*, 75.

[12] See also R.J. Morris, *Class and Class Consciousness in the Industrial Revolution 1780-1850* (London, 1979), 38; and E.P. Thompson, *The Making of the English Working Class* (New York, 1963), 27, 29.

[13] d'Alton, *Protestant Society*, 111-2.

[14] R.M. and J. Baldwin, *The Baldwins and the Great Experiment* (Don Mills, 1969), 119.

[15] Aileen Dunham, *Political Unrest in Upper Canada, 1815-1836* (Toronto, 1963), 159; for the Irish antecedents of responsible government, see W.L. Morton, "The Local Executive in the British Empire, 1763-1828", *EHR* (July, 1963), 441-5.

[16] George Wilson, *The Life of Robert Baldwin* (Toronto, 1933), 20-1.

[17] Craig, *Upper Canada*, 194.

[18] Birch noted the exceptions to the principles of individual and collective responsibility, arguing that Britain had achieved a certain measure of ministerial responsibility by the late 1830s; it only needed continued practice and a clearly defined party system to be fully operational. See Birch, *Responsible Government*, 132, 139-41.

[19] Wilson, *Baldwin*, 22.

[20] Craig, *Upper Canada*, 164, 220.

[21] *Ibid.*, 224.

[22] Eric Jackson, "The Organization of Upper Canadian Reformers, 1818-1867", in Johnson, ed., *Historical Essays on Upper Canada*, 98-104.

[23] See R.E. Saunders, "What Was the Family Compact?", in J.K. Johnson, ed., *Historical Essays on Upper Canada* (Toronto, 1975), 125, 131-3.

[24] W.G. Ormsby, "Sir Francis Hincks", in J.M.S. Careless, ed., *The Pre-Confederation Premiers* (Toronto, 1980), 149.

[25] *DCB*, 9: 240-1.

[26] *Ibid.*, 8: 896.

[27] Hincks, *Reminiscences*, 16. See below, chapter 3, 4-5.

[28] *Ibid.*, 19.

[29] *DCB*, 11: 407.

[30] Hincks, *Reminiscences*, 21-2.

[31] Mills, "Loyalty", 237. See also Robert V. Remini, *Martin Van Buren and the Making of the Democratic Party* (New York, 1959), 124-5.

[32] Hincks, *Reminiscences*, 21-2.

[33] *Ibid.*, 22.

[34] Mills, "Loyalty", 241. By February 1842, Bagot informed the Colonial Secretary, Lord Stanley, that Hincks' paper was "by far the best written paper in the country." NAC, *Charles Bagot Papers*, vol. 7, Bagot to Stanley, 8 February 1842, 59.

[35] Hincks, *Reminiscences*, 22-3.

[36] *PAC Report*, 1923, Baldwin to Durham, 23 August 1838, 327-8; see also R.M. & J. Baldwin, *The Baldwins*, 161.

[37] Hincks, *Reminiscences*, 23.

[38] G.M. Craig, ed., *Lord Durham's Report* (Toronto, 1963), vii. See also P. Buckner, *The Transition to Responsible Government: British Policy in British North America, 1815-1850* (Westport, Conn., 1985).

[39] A.M. Muckle, "Sir Francis Hincks and Political Reform in Canada, 1838-48", Toronto, M.A. 1931, 5.

[40] J.P. Merritt, *Biography of the Hon. W.H. Merritt, M.P.* (St. Catharines, 1875), 184.

[41] Adam, *Macdonald*, 90.

[42] J. Monet, The Last Cannon Shot: A Study of French-Canadian Nationalism, 1837-1850 (Toronto, 1969), 44.

[43] Wilson, Baldwin, 84-6.

[44] Monet, "LaFontaine", DCB, 9: 441.

[45] Ibid., 443.

[46] D.G. Creighton, Dominion of the North: A History of Canada, rev. ed. (Toronto, 1977), 252, 257.

[47] Monet, Last Cannon Shot, 6.

[48] J.M.S. Careless, Union of the Canadas (Toronto, 1977), 222-3.

[49] NAC, LaFontaine Papers, Hincks to LaFontaine, 12 April 1839. In his Reminiscences, Hincks claimed that he had, "as early as the year 1835, made the acquaintance of Mr. Lafontaine and some of his friends during a visit which I paid to Montreal and Quebec..." (Reminiscences, 49) but he apparently waited until 1839 to renew their connection.

[50] NAC, LaFontaine Papers, Hincks to LaFontaine, 12 April 1839.

[51] LaFontaine's replies to Hincks' letters do not exist, but Hincks often referred to LaFontaine's comments and dealt with them point by point in his letters. Monet suggested a chronology of the correspondence based on Hincks' letters. See Last Cannon Shot, 47, n.7.

[52] NAC, LaFontaine Papers, Hincks to LaFontaine, 30 April 1840.

[53] B. Young, George-Etienne Cartier: Montreal Bourgeois (Kingston and Montreal, 1981), 12-13.

[54] NAC, LaFontaine Papers, Hincks to LaFontaine, 30 April 1840.

[55] See C. Wilton-Siegel, "Administrative Reform: A Conservative Alternative to Responsible Government", OH, 78, 2 (June, 1986).

[56] R.T. Naylor, Canada in the European Age, 1453-1919 (Vancouver, 1987), 233.

[57] Dunlop repeatedly used this phrase to describe responsible government - one example can be found in Debates, 1843, 1: 54.

[58] NAC, LaFontaine Papers, Hincks to LaFontaine, 14 November 1839.

[59] Hincks, Reminiscences, 44-5.

[60] Careless, "Baldwin", in Careless, ed., Pre-Confederation Premiers, 114-5.

[61] NAC, LaFontaine Papers, Hincks to LaFontaine, 4 December 1839.

[62] Ibid., 9 January 1840.

[63] Monet, Last Cannon Shot, 48. LaFontaine had "been master of the situation

all along" and was credited with the salvation of French Canada, while Hincks' role was relegated to one of small importance. I do not agree.

[64] Ibid., 4 December 1839.

[65] NAC, LaFontaine Papers, 2 May 1840. Hincks had known Merritt at least since 1835, when he was an auditor of the canal company's accounts and they had later corresponded about bank notes and plates. See NAC, Merritt Papers, Hincks to Merritt, 14 June 1836, 1450-2.

[66] Merritt, Biography of W.H. Merritt, 184- Merritt to Buller, 30 May 1838; 186-90- Merritt to Durham, 5 October 1838.

[67] NAC, LaFontaine Papers, Merritt to LaFontaine, 19 May 1840.

[68] Ibid., Hincks to LaFontaine, 17 June 1840.

[69] Ibid., Merritt to LaFontaine, 4 July 1840.

[70] See William Ormsby, The Emergence of the Federal Concept in Canada, 1839-1845 (Toronto, 1969).

[71] AO, Merritt Papers, Hincks to Merritt, 6 April 1841, 2230-1.

[72] NAC, LaFontaine Papers, Hincks to LaFontaine, 17 June 1840.

[73] For the imperial context, see J.M. Ward, Colonial Self-Government: The British Experience 1759-1856 (Toronto, 1976), and P. Buckner, The Transition to Responsible Government: British Policy in British North America, 1815-1850 (Westport, Conn., 1985).

[74] NAC, LaFontaine Papers, Hincks to LaFontaine, #97, 2 May 1840, 2.

[75] Ibid., Hincks to LaFontaine, 27 November 1840, enclosed No. 2, copy, Hincks to Baldwin, 25 November 1840, 2.

[76] Ibid., No. 1, copy, Baldwin to Hincks, 7 November 1840; Hincks to LaFontaine, 11 & 27 November 1840; Hincks to Baldwin, 25 November 1840.

[77] Mills, "Loyalty", 241-2. The excerpt is from Hincks' address to the electors of Frontenac in 1844, but there is evidence of these ideas, though not so concise, in the columns of the Examiner in 1840-1.

[78] Ibid.

[79] NAC, LaFontaine Papers, Hincks to LaFontaine, 23 August 1840.

[80] Ibid., 28 August 1840.

[81] A. Gérin-Lajoie, Dix ans au Canada de 1840 à 1850 (Quebec, 1888), 68.

[82] Monet, Last Cannon Shot, 67.

[83] Ibid., 14 February 1841.

[84] Longley, *Hincks*, 73. He had a majority of 31.

[85] NAC, *LaFontaine Papers*, Turgeon to LaFontaine, 24 March 1841; R. Adamson to same, 31 March 1841. For D.B. Papineau's tabulation of the electoral results (L.C.- Reformers 25 to the Tories' 17; U.C. - 25 Reformers and 15 Tories), see NAC, *Papineau Papers*, D.B. Papineau to Amedée Papineau, 5 April 1841, 3622-3. For W.H. Draper's comments on the Tories and the ultra Reformers (like Hincks, Durand, Smith, Hopkins and Gilchrist), see NAC, *J.S. Macdonald Papers*, Draper to Macdonald, 25 March 1841, 62.

[86] NAC, *Merritt Papers*, Hincks to Merritt, 6 April 1841, 2231, 2233.

[87] NAC, *LaFontaine Papers*, Hincks to LaFontaine, 6 April 1841.

[88] *Ibid.* Others were Parke, Hincks, Powell, Thorburn, Merritt, Smith, Durand, Hopkins, Price, Small, Steele, Boswell, Gilchrist, Roblin, Morris, D. McDonald, Cook and Crane. Of these, four were lawyers, eight businessmen, three public servants, two doctors, and two farmers.

[89] They were Killaly, Thompson, Williams, Dunn, Buchanan, Manahan, Cameron and Johnson (three businessmen, three public servants, one engineer, and one unknown). The others in the group were Prince, Woods, Campbell, H. Smith, Cartwright, Draper, Chesley, J.S. Macdonald and Derbishire (five lawyers, one businessman, one journalist, one public servant, and one unknown).

[90] They were Strachan, MacNab, Duggan, McLean and Sherwood (five lawyers, though at least two had wide business interests).

[91] NAC, *LaFontaine Papers*, 6 April 1841.

[92] In Canada West, Reform lawyers included Baldwin, Small, and Boswell; so-called moderates were Prince, Cartwright, Draper, Johnston, and J.S. Macdonald; and Compact Tories were Strachan, Duggan, McLean, and Sherwood. In Canada East, Reformers were Armstrong, Aylwin, Barthe, Berthelot, Black, Christie, Day, DeSalaberry, Hamilton, Ogden, Parent, Quesnel, Viger, and Turcotte.

[93] They were Price, Henry Smith, MacNab, Morin, and Delisle.

[94] In C.W., this group included Parke, Hincks, Gilchrist (a doctor as well as a general store and mill owner), Powell, Merritt, Durand, Morris, Cook, Crane, Thompson, Buchanan, Cameron, and Woods (a Conservative miller). In C.E., Burnet, Cuvillier, Holmes, Moffatt, Robertson, and Watts were businessmen.

[95] In C.W., public servants were Thorburn (Indian agent and local warden), Steele (JP and coroner), McDonald (inspector and clerk), Killaly (engineer on Board of Works), Dunn (former Receiver General), and Chesley (Indian agent). In C.E., they were Daly (Provincial Secretary), Dunscomb (customs official), Hale (former secretary to Lord Amherst, Special Councillor, and warden), Simpson (former secretary to Lord Dalhousie, collector of customs), and Taschereau (collector of customs).

[96] They were Smith and Gilchrist in C.W.; Boutillier, Foster, Kimber, McCulloch, Noel, and Taché in C.E.

[97] They were Hopkins, Roblin, Williams, and Desrivières respectively.

[98] Barthe, Derbishire, Hincks, Neilson and Parent were active, Morin less so.

[99] They are Campbell and Manahan from C.W., Borne, Child, Jones, Moore, Raymond, Ruel, and Yule from C.E.

[100] P.G. Cornell, *The Alignment of Political Groups in Canada, 1841-1867* (Toronto, 1962), table 1.

[101] *Ibid.*, 19 April 1841. Monet noted that it took four letters from Hincks to convince LaFontaine that Morin would not do. (*Last Cannon Shot*, 80) Political tactics obviously were not one of LaFontaine's strengths.

[102] NAC, *Hincks Papers*, Morin to Hincks, 8 May 1841, 4-6.

[103] NAC, *LaFontaine Papers*, Hincks to LaFontaine, 26 May 1841.

[104] *Ibid.*, 29 May 1841.

[105] *Debates*, 1841, 1-4. In his *Reminiscences*, Hincks reprinted one of his letters in which he wrote that he had deliberately provoked opposition when Cuvillier's election seemed likely to be unanimous. See *Reminiscences*, 59.

[106] NAC, *LaFontaine Papers*, 60, letter of 14 June 1841.

[107] *Debates*, 1841, 60-9.

[108] NAC, *LaFontaine Papers*, Hincks to LaFontaine, 29 June 1841, 1-3.

[109] See Chap. 3, discussion on early development questions.

[110] Toronto *Examiner*, 8 September 1841.

[111] Hincks, *Reminiscences*, 77.

[112] *Ibid.*, 78, from *Examiner*, 15 September 1841.

[113] *Ibid.*, 77.

[114] Of the first group Hincks mentioned in the quote, John Neilson was a Quebec journalist, Thomas Aylwin (*DCB*, 10: 24) and Amable Berthelot were lawyers, and David Burnet was a Quebec merchant who opposed the Union (*DCB*, 8: 115-6). Of those Hincks thought more compatible, Day was legal representative for Ottawa valley timber barons (*DCB*, 11: 237-8), Black was a Quebec lawyer and Vice-Admiralty judge, Dunscomb was a Montreal businessman who became Surveyor of Customs (Dave McIntosh, *The Collectors: A History of Canadian Customs and Excise* - Toronto, 1984), Holmes was a Montreal banker and businessman (Monet, *Last Cannon Shot*, 112-3), and Simpson was a former English merchant and Coteau du Lac customs collector (*DCB*, 10: 655).

[115] Careless, *Union of the Canadas*, p.59.

[116] NAC, *Charles Bagot Papers*, vol.7, Bagot to Stanley, 8 February 1842,

59-60.

[117] *Ibid.*, vol. 2, J.S. Cartwright to Bagot, 16 May 1842, 316.

[118] *Ibid.*, vol. 7, Bagot to Cartwright, 16 May 1842, 208-9.

[119] *Ibid.*, vol. 3, Draper to Bagot, 9 June 1842, 360.

[120] *Ibid.*, 360-1.

[121] *Ibid.*, Bagot to Stanley, 12 June 1842, 262-3.

[122] *Ibid.*, vol. 3, Harrison to Bagot, 11 July 1842, 417-8.

[123] *Ibid.*, 422.

[124] *Ibid.*, Draper to Bagot, 16 July 1842, 442-8.

[125] *Ibid.*, Hincks to Bagot, 9 July 1842, 354-5.

[126] *Ibid.*, 21 July 1842, 473-4.

[127] From his *Reminiscences*, he seemed more concerned with the fact that some historians had incorrectly referred to the council as the first LaFontaine-Baldwin ministry, as they were not the senior councillors. *Reminiscences*, 88.

[128] *Debates*, 1842, 46.

[129] G.N. Tucker, *The Canadian Commercial Revolution 1845-1851* (Toronto, 1970), 63-4.

[130] Careless, *Union of the Canadas*, 72; see also *Debates*, 1842, 317-8, 327-8.

[131] MTCL, *Baldwin Papers*, Hincks to Baldwin, 12 January 1843, 1-4.

[132] *Ibid.*, Hincks to Baldwin, 28 January 1844; see also *LaFontaine Papers*, Hincks to LaFontaine, 25 January 1844.

[133] He had asked LaFontaine whether he should move the *Examiner* to Montreal. See NAC, *LaFontaine Papers*, Hincks to LaFontaine, 4 December 1839.

[134] P. Hewett, *Unitarians in Canada* (Toronto, 1978), 39.

[135] Hart was involved in the wholesale and retail trade, insurance, mining and land speculation, and he was later a railroad promoter and director. See *DCB*, 11: 388-9.

[136] MTCL, *Baldwin Papers*, Hincks to Baldwin, #40, 8 May 1844, 1,5.

[137] *Ibid.*, 6-7.

[138] *Ibid.*, #45, 18 November 1844, 3.

[139] *La Minèrve*, 28 May 1846; see also Hincks, *Reminiscences*, 135-46.

[140] See *DCB*, 10: 311; and *Reminiscences*, 129-30.

[141] For MacNab's Great Western problems, see NAC, *LaFontaine Papers*, John Dunn to LaFontaine, 1 December 1845, and *Buchanan Papers*, MacNab to P. Buchanan, 22 February 1846, 37089. For his wife's illness and death, see *Ibid.*, 25 April 1846, 37110-1.

[142] George Metcalf, "William Henry Draper", in Careless, ed., *Pre-Confederation Premiers*, 68.

[143] MTCL, *Baldwin Papers*, Hincks to Baldwin, #59, 16 November 1846. See also, NAC, *LaFontaine Papers*, Baldwin to LaFontaine, 21 December 1846, 6; 22 December 1846. Also, MTCL, *Baldwin Papers*, LaFontaine to Baldwin, #43, 29 December 1846; NAC, *LaFontaine Papers*, Baldwin to LaFontaine, 8 May 1847; and MTCL, *Baldwin Papers*, LaFontaine to Baldwin, #48, 13 May 1847.

[144] D.R. Beer, *Sir Allan Napier MacNab* (Hamilton, 1984), 96-207.

[145] See Chapter 8 for Hincks' use of patronage.

[146] MTCL, *Baldwin Papers*, Hincks to Baldwin, #25, 15 June 1843.

Chapter III

HINCKS AS BUSINESSMAN-POLITICIAN, 1831-54

Francis Hincks was a businessman before he entered politics, and the influence of business on politics cannot be ignored. This chapter will explore two important themes introduced in the last chapter: how political interests influenced, and were influenced by business interests; and Hincks' attempt to orient the Reform party towards provincial development. In order to explain the policies he proposed, an understanding of his motivation and business interests is crucial. Business reasons brought Hincks to Canada, but after the rebellion business and politics together were the predominant influences in his life. After the resignation of late 1843 and his disappointing electoral defeat in 1844, he had to make his own way: his business interests seemed to become more important. However, he combined the two interests in promoting provincial development and used development policies to build the party by attracting new support. Such policies came much more smoothly without the opposition of politicians like Baldwin. And if business-minded politicians, whether Reform or Conservative, could be attracted to the House, that was a bonus. Most of the members sought election because service was considered to be enlightened self-interest, as Luther Holton said in 1853. But Hincks was the guide in this era of brokerage politics when self-interest dominated the business of the country.

The second theme of this chapter is provincial progress. Hincks, a businessman-politician, sought to encourage the economic development of the province both as a member of the Reform party and of three governments in the

1840s and 1850s. This chapter will not examine Hincks and the railroad interests, or the business deals that were the cause of the scandals from 1852 to 1854, both of which will be treated as a separate subjects. It will look at how business cut across party lines, separating Hincks from Reformers like Baldwin and attracting moderate business-minded Conservatives. Hincks supported several measures to promote provincial development: improved transportation, a bank of issue, elimination of usury laws, allowing municipalities to take loans, improving the provincial credit, retrenching expenditures, and reciprocity. It is clear that during this period political interests, while important, took a back seat to business interests, although both were necessary parts of Hincks' plan to broaden the Reform party.

Hincks was not a good businessman in the traditional sense: he did not get wealthy from his professions of wholesaling, banking or journalism. Rather, his speculations made him wealthy and his political connections gave him prominence. He chose to establish himself in Canada in 1831 because of the scope for profit in business, and he settled in the capital of Upper Canada the following year. George Walton, who published the York Commercial Directory, echoed the thoughts of many when he wrote in 1833 that York was the social, economic and political focus of the province, from "whence is diverged the retributive and enriching stream of a rapidly increasing revenue...."[1] For a town of between eight and nine thousand people, there was considerable competition in Hincks' chosen field, wholesale goods. Douglas McCalla noted that "In 1832, at least five local firms and four branches of Montreal firms announced wholesale trading operations in York."[2] Hincks dealt in "sherry, Spanish red wine, Holland Geneva (gin), Irish whiskey, dry goods, boots and shoes, and stationery...."[3] However, his connections in Belfast and Liverpool were not apparently as good as those of the Ridouts and Buchanans, to say nothing of the more established wholesaling houses: he was edged out of the competitive market within two years, probably by the inability to match prices and collect accounts from customers.[4]

With Hincks' counting house background, his next step was to go into banking. The financial situation in the province was not very competitive. The Bank of Montreal had left York in 1829, leaving the Bank of Upper Canada with a local monopoly. The latter institution, controlled by the Compact, did not provide sufficient circulating capital to farmers, and Hincks became involved in one of the earliest attempts to set up a rival bank, the Farmers' Joint Stock Banking Company, in June 1835. Robert Baldwin promised to be one of Hincks' securities, and William Ketchum, another prominent Reformer, was also a founder. However, the man behind the bank was Captain George Truscott, half-pay naval officer and operator of a private bank in Exeter since 1831, who had come to Canada in 1833, probably enticed by Receiver-General John Dunn. He opened the Agricultural Bank in Toronto in May 1834, along John C. Green.[5] His partner in the Farmers' Bank was John Elmsley, recently a Tory Executive Councillor, though he seemed to be wavering in 1835. Elmsley was the first president, but the bank's financial antics so angered the Bank of Upper Canada that William Allan and the Compact sought to control it at the first meeting of the directors in July. By September, Truscott, Hincks and the other Reformers "had been forced out."[6] Hincks thus experienced Tory tactics early on. Then, in November 1835, Hincks again asked Baldwin to be his security when he joined the newly formed Bank of the People. Dr. John Rolph, one of the directors, prominent Reformer and future cabinet colleague, was Hincks' other security, while James H. Price, also a future cabinet colleague, did the legal work on Hincks' bond.[7] Hincks' financial ability was thus utilized quite early.

In 1836, Hincks was promoted to cashier (manager) of the Peoples' Bank when James Lesslie, the first cashier, took over the presidency from John Rolph.[8] He maintained his contacts in Britain, an example of which can be found when Hincks gave Baldwin an introduction to Thomas Thornely, M.P. for Wolverhampton.[9] Hincks wrote that Thornely was "A Liverpool merchant in the American trade of high standing...a good sample of a British Merchant being a most liberal and enlightened man with a great deal of practical information."[10] Hincks also provided Baldwin with letters to his cousin, Frank Boult, who ran a counting house in Liverpool, a Mr. Bruce, who was a wealthy West India merchant, and other relatives and parliamentarians. Baldwin was travelling to England to protest Bond Head's actions, but Hincks wanted him to make enquiries among the smaller British banking houses about entering "into a negociation", probably to act as English agent of the Peoples' Bank. There is no evidence that the mission was successful: according to J.M.S. Careless, the bank did not have to suspend specie payments during the financial crisis of 1836-7, but "its limited capital and unlimited risk were drawbacks which brought about its sale to the Bank of Montreal in 1840...."[11] In the period after the rebellion, Hincks is also listed as secretary of the Home District Mutual Fire Assurance Company.[12]

Through Hincks' association with the Baldwins, he became involved with politics shortly after his arrival. One account noted that he supported Reformers in Toronto as early as the 1834 civic election.[13] Business also seemed to draw Hincks into politics. In March 1835, the Reform-controlled assembly appointed W.L. Mackenzie a director of the Welland Canal Company to protect the province's stock. Mackenzie investigated the company and published his charges against the other directors before he made an official report. W.H. Merritt, president of the company, sued Mackenzie for libel and won two shillings in damages. But at the next session he asked that a select committee investigate Mackenzie's charges. Hincks and James Young, a Bank of Upper Canada accountant, were appointed "to examine the books and report to the committee."[14] During the 1836 session, Hincks worked on the books and concluded that they had been "for several years...full of false and fictitious entries...." He wrote Mackenzie on 16

September 1836, saying that the "numerous charges" against Merritt and the other directors "have been clearly proved."[15] Hincks' report was critical of the "careless, antiquated, and inadequate" business methods of the directors, who "had been negligent in the performance of their duties."[16] Even Compact member and former president of the Bank of Upper Canada William Allan wrote to Lieutenant-Governor Bond Head's civil secretary in May 1836 that the canal company's "means are not so good now, as they have been, or as they might be if they had managed their business properly-"[17] However, Merritt cited Hincks' evidence that no "FRAUDULENT INTENT can attach itself to any individual connected with the Books of the Company."[18]

Politics rather than business involved Hincks in the editorship of the Toronto Examiner in 1838 and the Montreal Pilot in 1844. Newspapers were not the most profitable enterprise in the province, but if supported by their parties they were an effective means of getting the political message across.[19] Though the principle of responsible government was the most important theme of the Examiner in its early years, Hincks' private correspondence and public statements stressed his 'zealous' advocacy of "all practicable measures of public improvements, which are calculated to develop the resources of the Province...."[20] Both these themes, not one or the other, got Hincks elected, but his appeal to the interests of Oxford agriculturalists (he promised to push for "the improvement of public Roads, on a systematic and uniform plan...") probably carried more weight. And it was Hincks' business acumen, rather than his politics, that caught Sydenham's eye and led to Bagot appointing him Inspector General. Hincks gave up the editorship of the Examiner when he took office in June 1842. He later claimed to have "sacrificed at least £300 sooner than let it get into Isaac Buchanan's hands."[21] While little is known of his business interests from mid-1842 to early 1844, he did draw a very respectable salary as Inspector General. It also appears that he had

£750 worth of property in Toronto, as he tried to use what had been Peoples' Bank land as collateral for a loan to offset newspaper debts.[22]

After Hincks and his ministerial colleagues resigned in November 1843, they expected an early election and vindication from the voters. In the meantime, LaFontaine thought that Hincks should be asked to edit an English language Reform paper in Montreal, the new seat of government and the commercial capital of the province. Baldwin was cautious, writing that "Mr Hincks certainly has talents and energy for such an undertaking", but suggested that "a Lower Canadian gentleman who could be thoroughly relied upon" would be preferable. Baldwin had not forgotten Hincks' waywardness in 1841-2 and wanted to protect the party from a recurrence.[23] Apparently, Hincks so satisfied LaFontaine and Baldwin in his speeches in Toronto and Oxford, and with his Kingston pamphlet, that they decided to back him in acquiring the Montreal Times and setting up the Pilot. Baldwin expected "to lose the money & so shall not be disappointed if it prove so tho I shall be glad to get what I can out of it."[24] Hincks later recalled that he "started the Pilot on the distinct understandg that annual assistance would be given it by the party."[25]

In the first number of the Pilot, Hincks continued his promotion of provincial development. His first principle, what he called a "grand object", was "to advocate the interests of Canada, to promote which all classes of the population ought to combine together, bearing constantly in mind that they are all Canadians, either by birth or by adoption."[26] This appeal was to the different classes and the French Canadians to get themselves involved in the development of their province: if they did so, everyone would benefit. He also sought to keep western farmers up-to-date on commercial affairs, making use of his "twenty years' experience in commercial affairs...."[27] Responsible government was also important, but distinctly secondary, reflecting Hincks' views of the situation in the mid-1840s. The time was not yet right for the principle.

The Reform party was not very generous in supporting the Pilot, which had difficulty raising advertising revenue from Montreal's Tory-dominated business community. In June 1846, Hincks postponed a trip across the Atlantic because of the state of his finances and he told Baldwin that he needed £500 to keep the paper going. In December, he considered selling the paper, saying that his expenses were heavy, collection for subscriptions was difficult and he would soon be seriously embarrassed. He was disgusted by the lack of party support and refused "to adopt the begging system...."[28] In late March 1847, despite a windfall from speculating in mining stock, he told Baldwin that he had "sunk £700 in the establishment...." He recounted the unsuccessful attempts to raise money from the party after the first year, and wrote that "...if the party refuse to support it I shall feel myself at perfect liberty to dispose of it to the best possible advantage without reference to their interests." He said that he would try "to serve the interests of the party" when selling it, but he would "do so as a matter of business."[29] The money was raised, with even LaFontaine grudgingly putting in £25, and Hincks was able to take a long holiday in Ireland and England.[30]

One example of Hincks' continuing materialistic attitude occurred just after his "mining operations" brought in $4500 in stock. There could not have been much of the almost £900 left, and Hincks tried to drum up some business to help finance his trip. He approached John Paterson of the Desjardins Canal Company[31] and asked if he could "negociate a Loan for the Company of £25,000. on condition that he should receive for his services £250. but if he failed the company was only to pay him something like £100. for his travelling expenses."[32] The proposal was turned down by the board of directors, and J.B. Ewart, a prominent Dundas banker, businessman and friend of MacNab's,[33] was given £500, "took a pleasure trip with his family to England, wrote a letter or two to his friends in Dundas that money was scarce & thus he could not succeed."[34] Hincks may have made similar requests of other businesses, as such solicitations were normal for businessmen travelling across the Atlantic.

These letters are a good example of the change that had come over Hincks in the mid-1840s. He had almost entirely given up his business interests to press the Reform cause after mid-1838. When he had sold the Examiner in 1842, he had put party ahead of financial consideration. Politics seemed to be his dominant interest until his defeat in the 1844 election. But after this loss, and because of his move to Montreal, he was more or less cut off from Reform support. As late as 1846, he was putting up his own property as security for loans to keep the Pilot going. By 1847, though, he would only try to ensure that the party was not damaged, saying that business reasons would govern the sale. Hincks, even though he had enough money to cover the Pilot's debts, was no longer willing to make a financial sacrifice for the Reform party. Perhaps this was a matter of pique at the lack of support; it was also a realistic response, as he had to be mercenary in order to survive. It seems that Hincks was at a crossroads in early 1847. He told Baldwin in March that he "had lately two or three openings for advantageous employment, one especially coming from parties wholly opposed to me politically." Though his inclination was "to stick by the press", he needed time to think.[35] The election call before Hincks' return, and the fact that others put forward his Oxford candidacy, perhaps recommitted him to political life and took the decision out of his hands. Still, his willingness to consider an offer from political rivals shows that he was more concerned with business.

The state of Hincks' finances and his apparent disinterest in politics is revealed by his decision not to leave Montreal after his return from Ireland in late 1847. He told Baldwin that he had refused to visit Oxford during the election because of a £450 loan to Theodore Hart, who had fallen "victim like many others to the flour speculation",[36] and which put Hincks in an embarrassing financial position. After the Reform party won, Hincks was reappointed Inspector General and gave up management of the Pilot. Thereafter, his only money came from previous investments, although they were unlikely sufficient to live on, and his salary as a minister. He received £1000, cut back to £800 during the retrenchment of 1850, and he often complained that it was not enough to live and entertain as a minister of the crown.[37] However, his business activities and speculations after 1851 will be treated as a separate case, as will the effect of Hincks' own brand of interest politics.[38] Nevertheless, business dominated Hincks' formative years. Of his fifteen years in Canada before 1848, he spent his first five years in wholesaling and banking, and another eight years running two newspapers. His political activities were certainly important from an early period, and were particularly manifested in the Examiner, which he used as a springboard to the legislature. He was also quite adept at political manoeuvering, but it was his business skills that made Sydenham and Bagot consider him as ministerial timber. And though the Pilot was the political voice of the Reform party at the seat of government, it was a commercial paper and Hincks' contact with Canada West businessmen and agriculturalists.

Business interests thus did much to shape Hincks' view of development and politics. From his earliest days in Canada, he was a promoter of provincial development. He believed that business interests could be encompassed by the Reform party, and that encouraging development would not only bring Reformers together but also attract Conservative support. This convergence was particularly true in the case of railways, but they will be examined in the next chapter. Throughout the 1840s and early 1850s, Hincks did not see development policies as exclusively for the benefit of the country; along the path to progress various other objectives could be achieved. He used development policies, such as improvements to the internal transportation system, restoring the provincial credit, cutting back on government expenses, attracting British capital and securing a reciprocity agreement with the Americans, to broaden the base of the Reform party by attracting businessmen and other progressively-minded men to a moderate, development-oriented, non-ideological party. Hincks pursued this goal with more or less vigour from the beginning of his political career.

Even while Hincks was having newspaper trouble, he along with other Reformers and, most notably, French Canadians were getting more involved in businesses like banking, insurance and mining. Many of the appointments to boards were made in the mid-1840s when Reformers did not control the assembly or the councils. Though it might be argued that appointments of French Canadian Reform businessmen were a reflection of their influence with the French Canadian majority in Canada East, it was probably more a feature of the expanding business community, as well as the similarity of interests of Reform and Conservative businessmen in this period. This trend began before the Reform victory of 1848, but appointments of prominent Reformers to boards of direction were certainly accelerated by their political success.

The Banque du Peuple, a Reform bank, had been set up in the mid-1830s, but it was incorporated in 1844 and its president was L.M. Viger (MP, Nicolet); its vice-president, Jacob DeWitt (Leinster); Pierre Beaubien (Montreal) was a promoter and director; Timothée Franchère (Rouville) a director; and B.H. LeMoine (Huntingdon) was cashier. The City and District Savings Bank was established in the mid-1840s: Conservative William Workman, a fellow Unitarian who Hincks described in 1844 as "very true & fine", "a moderate friend",[39] was president; Alfred LaRocque was vice-president; DeWitt and Beaubien were directors, as was Hincks himself. Others included Joseph Bourret (mayor of Montreal and a Legislative Councillor after 1848), H.H. Judah (a friend of Hincks, lawyer and Champlain MP until 1844), Luther Holton (another of Hincks' friends, a Unitarian and MP for

Montreal in 1854), L.T. Drummond (an Irishman, LaFontaine's law partner and MP for Montreal after 1844; later Solicitor General and Attorney General East), J.E. Mills ("...a wealthy, American-born friend of LaFontaine's group"[40] and Pilot supporter in its first year). Henry Atwater (Montreal politician and mayor) and A.M. DeLisle (MP for Montreal County and a moderate Tory) were also on the board. In 1850, even LaFontaine was on the board, as were three other members of the ministry- Hincks, A.N. Morin and Drummond.[41] Such business connections between Reformers and Conservatives did not seem to bother anyone.

Reformers were also getting involved in other areas. Hincks' connection with a fire insurance company has been noted. Morin was on the board of the Colonial Life Assurance Company with B.H. LeMoine. Joseph Bourret was chairman of the Canada Life Assurance Company, with William Workman and G.-E. Cartier on the board and L.T. Drummond as its solicitor. The fastest growing area in the period was mining, and almost every important businessman and politician was in on it. Morin and LeMoine were directors of the Montreal Mining Company; Pierre Beaubien and Tory George Moffat were promoters; Cartier was a later director. The company was formed in 1847, along with eleven others chartered by the legislature, to exploit copper and silver deposits on the north shore of Lake Huron. Theodore Hart was also involved in Lake Huron mining speculation. So were Benjamin Holmes and John Young (later Chief Commissioner of Public Works in Hincks' cabinet). Hincks' $4500 profit might have come out of one of these speculations: it is known that he was one of the founders of the Echo Lake Mining Company and the Lake Huron Silver and Copper Mining Company.[42] What is interesting is that Tories as well as Reformers were involved in these speculations, including Allan MacNab, W.H. Merritt, T.A. Stayner (Postmaster General), Peter McGill, S.B. Harrison, John Prince, James Ferrier (former Mayor of Montreal), and W.H. Boulton: all were among the many involved in the mining craze.[43]

It is evident, too, that Hincks was not concerned about the politics of his business partners: Attorney General Henry Sherwood revealed in the House that "he was concerned in one of those [mining] companies, in common with Messrs. Hincks, LeMoine & Mills, and other gentlemen...." He explained that long before he had entered the government (29 May 1847), he had been asked to subscribe £1,000, although "he was very much afraid he would never get [it] back", and he offered to sell it at par to either Aylwin or Baldwin, who disapproved of the venture.[44] These are only a few of the examples of the increasing business cooperation between Reformers and Conservatives, activities that by the late 1840s were commonplace.

One of the themes Hincks continually expressed was the need for public improvements, which referred to canals and roads. Canals were regarded as the great engines of progress: Lower Canada's Lachine Canal opened in 1824 and Upper Canada's Welland Canal was finished a few years later. However, the American Erie Canal opened in 1825 and drew trade away from the St. Lawrence system. Both colonists and administrators knew that improvements had to be undertaken quickly, though there was no money in the mid-30s to do so.[45] Lord Durham gave a boost to the idea of canalizing the St. Lawrence, hoping that "all the immense trade which now flows from the West by Buffalo, the Lockport and Grand Canals to New York, would pass through the Provinces and enrich all the towns and districts through which it was carried." As well, Durham argued that the British government should help complete the public works as a means of alleviating discontent.[46] Hincks agreed with Durham, and told the Oxford voters that a satisfactory system of government, along with "all practicable measures of public improvements", were the best way to ensure "a permanent connexion" between the colony and the mother country.[47]

As was noted in the last chapter, Charles Poulett Thomson, later Lord Sydenham, the businessman appointed Governor General in 1839, succeeded by 1841 in obtaining an imperial loan guarantee of £1,500,000 to reduce Canada's debt. When this announcement was made in the throne speech, every Canadian interested in development breathed a collective sigh of relief. As the 1841 session went on, Hincks became more friendly to Sydenham and his business-like policies. Nor was Hincks alone: according to Owram, the majority of members, in replying favourably to the throne speech, announced "that the commercial element dominated" and 'expressed their belief that there was an intimate connection between the prosperity that would "inevitably" come from these works and their "belief that peace and tranquility will be happily established in the province."'[48] Sydenham also took the first steps to regularize development by establishing a Board of Works for the whole of Canada in 1841, appointing engineer H.H. Killaly as its Chief Commissioner, and centralizing the appropriation process in the executive council, now made up of responsible department heads.

After Hincks was made Inspector General by Bagot in June 1842, he told Oxford voters that "as a Member of the Administration, I shall have increased opportunities of advancing the general interests of the Province...."[49] During Hincks' first term in office the British government decided not to guarantee any new Canadian financing, but compensated for this decision by agreeing to allow the loan to be used to finish the canals and other improvements, rather than lessen the provincial debt as originally intended.[50] Hincks finalized this arrangement in the fall of 1842; he established a sinking fund to pay off the loan; and prepared the way so that the work could begin in earnest. In late 1842, Hincks introduced a three shilling duty on American grain imports in order to protect Canadian grain. It was proclaimed on 9 August 1843, and was followed by "duties on other American agricultural produce, including livestock, meats, cheese, butter, and coarse grains." The forwarders and millers benefited from the wheat duty, as did the exporters. Robert Jones argued that the farmers benefited, since production increased dramatically, spurred on by demand in Britain and an increase in Canadian acreage under cultivation.[51] Hincks also worked on reforming the government's accounting system and the customs service continued to be overhauled,[52] but there was no time to accomplish more.

The dispute with Sir Charles Metcalfe, ending in the ministry's resignation, drove home the fact that political control was a necessary prelude to economic planning. Though the split came over the issue of patronage, which Reformers regarded as most essential to carry on their government, it obviously cut off their ability to control economic development. This decision highlights the differences within the Reform party: LaFontaine and Baldwin led the party into opposition on the question of principle, arguing that Metcalfe was denying his ministers the opportunity to advise about appointments. On the other hand, Hincks, who had left the Reform party in 1841 to follow his own course, and who was reunited with the party in late 1842, was now forced to give up his ministerial role for the sake of principle. He made no comment that showed disagreement with the 1843 resignation, and he certainly threw himself into the political fight against Metcalfe. But there is little doubt as to which course he would have followed if he had controlled the party: compromise might have been easier to achieve from a position of power. Hincks had seen in the 1830s that large majorities were not very effective against a strong-willed governor with Tory support.

Though Hincks campaigned in 1844 about the "progressive legislation" that the Reform ministry had passed, whatever economic benefits resulted from those policies were overshadowed by the profound changes brought by the British adoption of free trade in 1846. Hincks noted the political results of the economic situation of the mid-1840s, citing in his memoirs Lord Elgin's letter to Colonial Secretary Grey that "Three-fourths of the commercial men are bankrupt owing to free trade...."[53] "The people", Hincks added, "were in a frame of mind when it was comparatively easy to work them up into a fever of political discontent." His editorials in the Pilot helped put the Reform party in a position to benefit from the public's dislike of the Draper and Sherwood governments and their inability to deal with the crisis.

After Reform's victory of early 1848, Hincks was again given the Inspector Generalship. While he was put in a position to promote the development of the province, his most pressing concern was the state of the province's finances. In facing an economic crisis, he was forced to devote his energies to straightening out the financial problems, and setting the provincial credit on a sound footing. Such policies, it was hoped, would attract investment to the colony and businessmen to the party.

The previous government had let more contracts for public works than was appropriated, and as revenues were down about £100,000 for 1847, the new ministry needed £250,000 more than it had to meet expenses. Hincks had few choices: he had to limit, or retrench, government expenditures, try to raise revenues, or borrow to cover expenses. All of these strategies were followed. First, he quickly sought authority to issue a further £125,000 in government debentures and to obtain a credit of £140,000 to be accounted for at the next session.[54] Elgin wrote Grey that this report had "a more liberal and business like tone...than in others formerly received by you...." He hoped that Grey would "meet their advances in an encouraging & cordial spirit-"[55]

However, the British lending institutions were not interested in helping the Canadian government. Hincks first asked J.H. Dunn, now retired in Mayfair, to approach the Barings in April for £200,000 secured on the Consolidated Revenue, but Dunn was unsuccessful.[56] He met no more success in November, though the

Barings arranged that their rivals advance the necessary amount. Glyn, Hallifax & Mills only provided £20,000, and Hincks was angry at both financial houses, arguing that Canada was not being treated fairly, and pointing out that at the same time "debentures of the United States, as well as of the City of Boston, have been disposed of, to a large amount, in London."[57]

The government made several attempts to find more efficient ways of raising money. Hincks introduced resolutions on 9 March 1849 to reorganize the provincial debt, create an efficient sinking fund, secure loans, alienate local works, appoint provincial fiscal agents in London, and improve the method of keeping the public accounts. In a long speech that covered the ten proposed resolutions, Hincks explained that government wanted to provide itself with sufficient powers to secure its credit, keep it solvent, and borrow money for needed enterprises.[58] A second way of decentralizing power and saving money was Baldwin's Municipal Corporation (U.C.) Bill. Though the Tories were entirely opposed to doing away with the District Councils, Hincks argued that schools and local improvements would be much better looked after at the township level, and there were provisions in the bill to meet the case of "works of a general character common to the whole district."[59]

Third, Hincks sought to change the form of assessment in Upper Canada, and put his case to the House on 28 March, saying that both real and personal property should be taxed fairly. He stated that the agricultural population "were almost unanimously for the bill, and he would warn those professional gentlemen who represented agricultural interests, that the agricultural community of Upper Canada will not tend to be exclusively taxed." He did not mention that the measure would add needed revenue to the government, and businessmen were not happy that some of the tax burden would be shifted to them.[60] More revenue was needed, but the bill did not receive final passage until the 1850 session. And fourth, another measure calculated to facilitate trade and raise money was introduced on 4 April 1849, when Hincks led off discussion on the Public Works Management Bill. It gave the government latitude in setting tolls, within certain limits, so that it could better spread the burden on different kinds of merchandise or new materials and on particular routes (canals or rivers, whether up or down), as well as to meet seasonal or competitive needs. Some of the Tories wondered why the government needed such wide powers, particularly if they would not be used, and asked for as low a rate of tolls as possible.[61]

The unsettled state of Canadian politics frustrated Hincks' efforts to raise money. Hincks went to England in the summer of 1849, and hoped "to satisfy those who have the power to assist us of the stability of our Institutions."[62] On July 29, from London, he reported that his pamphlet had been well received in the City and that he was "proceeding cautiously but steadily in the loan matter."[63] Still, when he first tried to raise £500,000, he could only get £50,000. In August, he sought to arrange a more modest loan of £150,000,[64] but the annexation agitation in Canada worried both the London banks. Even a long letter from Hincks on September 13 would not induce them to alter their decision- the only thing he did get was an explanatory letter on 20 September.[65]

Tight fiscal policy meant that Hincks and the government had to exercise considerable restraint, which prevented them from spending much money on development. The difficulty of securing loans and raising revenue also made the question of retrenchment in expenditures very important. 1850 was the so-called retrenchment session, but the necessity of reducing expenses had been apparent for some time. Since government revenues had been decreasing in the mid-1840s while expenditures were increasing, politicians began to look for cuts in order to maintain a proper financial balance.

The case of the York Roads illustrates the policy of retrenchment, but more importantly shows that even restraint could be made to serve party purposes. It had been argued, at least since 1847, that the question of roads and tolls needed to be solved. Some, like James Price, argued that "the Government should finish these roads and hand them over to the District Councils free of charge."[66] After the Reform ministry came into power, it decided to lease the main roads around Toronto, and shortly thereafter, transfer all but national roads to the localities. A problem arose, however, since the municipal authorities did not want to bear the cost of maintenance. This situation led to no repairs for a time, until Public Works agreed to "supply the men and materials for repairs and the city pay half the costs."[67]

When the government introduced legislation preparing for the transfer of roads to local authorities in 1849, it found that none wanted to pay a fair price for them. Thus, the Public Works Companies Bill of 1850 allowed companies to "be formed to buy the public roads of the Province and other Public Works of a like nature."[68] After a short debate, in which former Inspector General William Cayley suggested that the government should leave the door open to "taking the road again into their own hands, if the purchaser should neglect to keep it in a proper state of repair", the bill passed. The issue cropped up again after the session when the Tory and Clear Grit papers tried to involve Hincks in scandal. The charge was that Hincks had conspired to help his friend, Toronto leather merchant James Beaty, acquire the public roads sold by the government. No complicity was ever shown, but the government was relieved of the expense and a loyal Reformer was rewarded. Even not-so-loyal Reformers benefited: Peter Perry, a Clear Grit supporter, acquired roads in Whitby, but he died before the result of his speculation and government policy could be found out.[69]

Retrenchment was also prominent in the debate on supply. When Hincks presented the 1850 estimates he made a brief state of the province speech, noting that government policy had been "to reduce the duties as much as could be consistently done with safety to the revenue, upon the necessaries of life, and to increase those which may be considered as bearing upon articles of luxury...." However, the revenue from luxury items "had fallen short of what was anticipated...", the Crown Lands' proceeds had been "swallowed up" by reclamation of "a great amount of scrip", and the Public Works had not "produced the return that had been expected from them...." Hincks argued that despite the difficulties the province was prosperous,[70] and the main retrenchment was a £200 salary reduction for the ministers. By 1850 the economy was significantly improving and the only reason for reducing expenses was political- it was a cause the Clear Grits and others could rally around.

Whatever lack of success Hincks had in London in 1849, he was certainly trying his best to cool down the political situation and interest English capitalists in Canadian investments. He had accomplished much in a relatively short period: the Reform party had been victorious in the elections, established itself in power, proposed its legislative program, and passed many bills. In power, Hincks had begun to straighten out the financial mess and exert his influence in patronage and policy matters. His economic policies, including the railway guarantee, were received very favourably by most and when he urged that political differences should be subordinated to provincial development, many listened on both the Reform and Tory sides. His goal was to ensure the best possible financial climate that would allow the province and businesses to expand and develop. On the suggestion of the London bankers, Grey suggested that Hincks write some articles for "the Times of the improved prospects of Canada...."[71] For Hincks, the object was to impress the British that Canada was a profitable field for investment. By sending over statistical tables and glowing reports, he was eventually able to get his message across. The return of British capital was not entirely Hincks' doing, but he did play a part in making Canada more attractive.

One of the greatest forces for development in these years was immigration. With between 25,000 and 40,000 immigrants arriving every year, except for the 90,000 famine Irish in 1847 and 54,000 mostly English in 1853, there was a large boost to most parts of the economy. Though anti-immigration feelings were strong in late 1847 and 1848, the Irish situation was abnormal. Interest politics were very important in dealing with this influx: the Reform government was not only interested in securing the immigrants' support, but it also recognized their value as labour (on the farm, in factories or building public works) and consumers. There were a number of schemes developed within the ministry that grew out of the large Irish immigration and economic conditions of the 1840s: Sullivan, Hincks and Merritt each proposed plans to link colonization with promoting public works. R.B. Sullivan argued in mid-1848 that public works should be constructed "solely on their own merits...",[72] since they would "promote settlement and settlement will promote them...."

Though Elgin pointed out that there was no money to finance such schemes, he did comment on the interest such works aroused: whenever "Govt gives it out that it is about to advance money" for public works, "Every Speculative person who has or fancies that he has an interest however remote or contingent in the advancement of this or that part of the Province, is on the alert, to see what influence Governmental or Parliamentary he can bring to bear on behalf of his own, and in disparagement of all rival schemes." Past Canadian governments had shown little ability "to discriminate with entire impartiality between conflicting pretensions of this class, and to persevere after having made their choice-"[73] Nothing was immediately done with Sullivan's suggestions because of lack of money, but Elgin was right in thinking that the Reformers would help their friends while pushing provincial development. However, he underestimated the will of Reformers like Hincks to persevere in the course they chose to take, or the wide circle of business friends they had. For Hincks, such interest in development policies by businessmen could be put to good use in broadening the Reform party.

Practical businessmen's interests were given a boost when W.H. Merritt joined the government in September, 1848. Within a month of his election he had completed a comprehensive study of the state of provincial finances and resources, including remedies and draft bills regarding the debt and the sale of public land.[74] Elgin wrote Grey that Merritt was "averse to all gratuitous alienations of land, and wd desire by pushing improvements, and rendering the Public Lands & Canals productive, to atchieve [sic] the result of paying off the Public Debt, charging upon the revenue derived from these sources the whole expenses of the Civil Govt,, and doing away with Import Duties altogether."[75] Elgin was dubious about how to attain such an end "without either money or credit, Public or Private": "We are actually reduced to the disagreeable necessity of paying all Public officers, from the Govr Genl downwards, in debentures, which are not exchangeable at par." Hincks probably did not want to give up import duties, either. When Sullivan's immigration memorandum was discussed in early December, Merritt argued that it was "founded on the most erroneous principles, or data, a mistaken assumption of opinion for facts...."[76]

Hincks, too, submitted a "Memo on Immigration and on Public Works" on December 20 and it was considered by the Council on December 26. It said little about immigrants as such, but was based on two principles: the British government should not pay for emigration and the immigrants should materially benefit Canada. He suggested that Canada borrow £1,500,000 at four per cent interest "on the credit of the Imperial Government" and lend it at six per cent- the difference, approximately £30,000, would be spent on promoting colonization. Such government involvement would ensure that immigration continued along lines favouring the host country. One of his most important ideas concerned provincial development, as he wanted to allow municipal councils to borrow and impose taxes for local objects, while the provincial government should "make loans from English capitalists, or the British government for larger works."[77] In this way, immigrants could be found jobs on local and national public works, thereby benefiting them, the country, and the Reform party, and it would cost the province very little. However, Merritt and Baldwin objected to a plan that might put municipalities in debt, though the latter seemed not to have made a point of it at this stage.

Elgin read Hincks' proposal "with great interest" and regarded it as "very able".[78] However, "no ingenuity of statement" could disguise the "essentially unpractical and unreasonable" conclusion. He noted that the goal of promoting immigration and public works was admirable, but the means to achieve it would not please the Imperial Government. England was to advance the fund, but "take no part in its disposal"; the Province would incur no liability, yet it would have to admit and reject "claims which will be pressed by powerful companies possessing great Parliamentary influence, and presided over, it may not infrequently happen, by leading Provincial Politicians."[79] Elgin therefore recommended some alterations to the plan, and a modified form of Hincks' plan was adopted- the province eventually got money from the Barings and Glyn, Hallifax and Mills to promote the schemes, particularly railways, of prominent politicians. The British, for their part, smiled favourably on such schemes in payment for their treatment of the colony after the effects of free trade were known. There was more than enough surplus capital available for investment in colonial railways. The economic benefit for Canada was certainly clear: the colony got public works it could not have afforded on its own. The political benefits were less clear in the long run, but in the short term there was general agreement among politicians and more businessmen were involved in politics.

The last major non-railroad means of promoting provincial development, and as it turned out Hincks' last attempt to win support by appealing to the province's economic interests, was reciprocity with the United States. D.C. Masters has examined the growth and implementation of the policy, but he did not look beyond reciprocity to assess its political value and its drawing power. He argued that the demand for free trade came about because of Britain's repeal of the Corn Laws. For him, the chief promoter of reciprocity was W.H. Merritt, who, in 1846, believed that such a scheme "would accomplish the double purpose of satisfying the Canadian farmer and of diverting the export of bread-stuffs from the western states to the St. Lawrence route during the summer months."[80] Business was in such poor shape after the 1848 election that W.H. Merritt undertook an unofficial trip to Washington to promote reciprocity. On May 16, he wrote Baldwin that the measure was "wholly misunderstood" and not likely to pass, but advised the ministry to secure authority from the British government just in case. According to Merritt, Hincks, LaFontaine, Baldwin, and Cameron favoured reciprocity, since it would help wheat, flour and lumber exports.[81] Elgin, too, supported the scheme, thinking that after the Imperial Government had abandoned colonial preference, the least the British could do for the Canadian "is to put him on as good a footing as his neighbour."[82] Hincks informed Merritt on July 27 that "Messrs. Sullivan and LaFontaine have gone to Washington, and will, I hope, arrange satisfactorily about bringing the new act into force...The administration has already done all that it could."[83] But the Congress rose in late August without passing the bill and the Canadians had to wait until American politicians were more amenable to reciprocal trade.

There were alternatives to reciprocity, and many Tory businessmen advocated protection. Before the 1849 session began, Hincks was worried about the agitation for a protective policy: he argued in a memo to Elgin that Canadian free traders wanted the Navigation Laws repealed. Since the British had not done this in 1848, Hincks wrote that failure in 1849 "would Naturally have the effect of Stimulating the protectionists, who would take advantage of the public discontent to excite feelings of hostility to British Connexion."[84] This view turned out to be quite accurate. On 3 January 1849, the Pilot published an anti-protectionist editorial: using statistics that showed how prosperous Upper Canada was becoming, it refuted Tory arguments for protection, and impressed Elgin enough that he sent a copy to Grey.[85] There was a debate on Hincks' proposed address to the Queen asking for the repeal of the Navigation Laws, and though twelve members raised objections about the speed it was being pushed, the original resolution was passed unanimously. The Legislative Council concurred and Elgin agreed to transmit the address on January 31.[86] By the end of June, the British had repealed the Navigation Laws.[87] Hincks probably had little to do with convincing the British government, but he had managed to get a unanimous declaration from opposing points of view in Canada.

Merritt was certainly the major proponent of reciprocity in Canada, but his motivation was largely economic. It was also the result of a political tradeoff. Merritt supported the Rebellion Losses Bill in 1849, even though he opposed its intent, because "he believed that he should necessarily be prepared to concede something, and all in order to accomplish others which were of paramount importance, particularly Reciprocity."[88] The principle of Merritt's resolution providing for reciprocity with the United States was fairly well received on 2 February 1849, except by some protectionist Tories like Henry Smith and David Stevenson; others, like John Prince, Samuel Brooks, and William Cayley, wanted to wait for some positive evidence that the Americans were interested.[89] Hincks intervened at the end of the debate, saying that he did not think much of the argument that it was unnecessary to pass the resolution in Canada simply because "the law had not yet passed in the United States...." He went through the measure, article by article, showing "that the interest of the whole community" was at stake:

> The object of the inhabitants of every section of the country was to cheapen their means of transport to the American markets, clearly shown by the energy with which they pushed on the different railways; and yet it was singular that the same hon. members who were so anxious for the completion of those railroads, in their different localities, attempted in the House to impose restrictions upon the trade between the two countries, which render them wholly inoperative.[90]

Hincks was pointing out the contradictions in the arguments of those members who opposed reciprocity but favoured the building of railroads. He added that Canadian "manufacturers would be best encouraged by the removal of all restrictions." With such an appeal to the members' interests, and to that of the province, Merritt's resolution passed first reading with only seven or eight voting against it.[91]

When Hincks was in London in the summer of 1849, he made a point of calling on Sir Henry Bulwer, the British representative who was about to leave for the United States with powers to negotiate "a revision of the existing navigation treaty...."[92] Hincks wrote Elgin on 29 July that he was "more and more convinced [that reciprocity] should be settled by treaty."[93] In the fall of 1849, the Russell government instructed Bulwer '"to press strongly for an arrangement for reciprocal free trade between the British Provinces and the Union in agricultural produce."'[94] Bulwer had difficulties in Washington soon after his arrival- he found that the administration of Zachary Taylor was "utterly averse to any such Treaty."[95]

In mid-1850, Elgin replaced one Canadian emissary, presumably G.S. Tiffany, with one of Hincks' civil servants, J.W. Dunscomb, the Surveyor of Customs, who he hoped would be more to Bulwer's liking. Bulwer wanted Elgin to send one of his ministers, to which the latter responded: "Hincks is the only one whom I could entrust with so delicate a duty, & it is quite impossible for me to part with him till our Session ends."[96] Though Hincks may have been indispensable during the summer and fall, once winter set in Elgin decided to send him to Washington, "to see how the land lies as respects Reciprocity."[97] Hincks set off on Saturday December 21, and returned to Canada late in January, apparently annoyed that Congress was likely to reject the Reciprocity Bill: he sent a memorandum to Grey saying that failure would lead to "an urgent demand by the Canadians for the imposition of retaliatory duties on the produce of the U. States."[98]

John Young, who had recently joined the ministry, disagreed with Hincks' method of pressuring the Americans. While Young admitted that it had been humiliating, in the previous four years, to keep going "Cap in hand, almost begging for Reciprocity...it is still more humiliating if not ridiculous" to try to "frighten 25 millions of people" by following Hincks' plan[99] of charging higher tolls on American vessels passing through the Welland Canal. He chose to leave the government, and advised Isaac Buchanan to try to rouse Upper Canada against Hincks' policy: "He has a wonderful facility for turning off at a right angle to any principle if he thinks it expedient and you can make it expedient- if you choose."[100] Hincks' retaliatory policy may have been no more than bluff, but Young, who knew him well, was quite astute in pointing out that Hincks' principles were usually quite flexible. Isaac Buchanan took Young's advice and immediately wrote James Morris, warning the ministry that the effect of their policy would be to invite American retaliation.[101] Morris responded unofficially to Buchanan on October 6 that "the new Tariff of Tolls will not be inforced this season. You know Hincks, and I will merely add that he appears determined to stand or fall by his retaliatory Policy-"[102] Either as a result of pressure or because Hincks simply changed his mind, the ministry did not impose the discriminatory tolls. According to William McDougall of the North American, "Mr. H. has shuffled off the Coml. Policy to an indefinite period- This is right though not very manly or fair towards Young."[103]

In his Reminiscences, Hincks gave the credit of negotiating the 1854 treaty to Elgin, but noted that it "gave effect to a policy which, during the preceding four years, I had been labouring to carry into effect."[104] He did not mention the early work of Merritt, whose interest in the question certainly predated Hincks'. In any case, Hincks had worked on the question: Dunscomb, Hincks recalled, had been sent to Washington in 1850 "with the view of furnishing information and endeavouring to draw attention to the subject of reciprocity", and "in subsequent years" he himself "paid two or three visits to the same city, and there was so much interest taken in the subject that a special Commissioner was appointed to procure statistics and make a report."[105] When Elgin was on leave in England in 1853, he "made such representations to the Imperial Government that it was determined to make a direct appeal to the Government of the United States by constituting him as Envoy Extraordinary, for the special object of negotiating, if possible, a treaty of commerce with that country."[106]

Hincks' statement passed over much of the background work that had been done by Americans, British and British North Americans previous to Elgin's final effort in late May 1854. Hincks himself was intimately involved with the negotiations; indeed, in late 1853, he was receiving letters and drafts from the Americans, and passing them on with comments and suggestions to Elgin in England. For instance, on 24 December Hincks wrote Elgin's secretary, Colonel Bruce, enclosing a letter from the American consul and two letters from J.C. Crampton, British Minister at Washington, and saying that he thought "it is well that His Exy the Gov

Genl should be made aware of evy step that is taken...." Hincks wanted the British to be made aware of "the great importance of settlg this question speedily and satisfactorily...." He wrote that he was prepared to make concessions on items like sugar and leaf tobacco, and that he had been trying to convince Crampton about "the importance of not letting the arrangemts be postponed until each colonial Legislature has acted." He did not want Prince Edward Island, or another small province, "to obstruct the entire treaty."

Hincks also reminded Bruce, and through him Elgin, that he needed more information and that it was important to push "this negotiation a little more vigorously-"[107] Hincks was prodding not only Elgin but also Crampton in Washington. On 27 December, he sent the latter detailed suggestions on each article of the proposed treaty, discussing the salmon fishery, coal, skins, pelts and furs, navigation, and the question of implementing legislation.[108] Thus, most of the preliminary work had been completed by the time Elgin and Hincks reached the United States.

A last minute problem occurred in late May because of the bungling (Hincks' term) of the new Lieutenant Governor of Nova Scotia, Sir Gaspard Le Marchant, who delayed sending that colony's delegates to New York and Washington. Hincks was still optimistic, saying that the treaty's prospects were "very good": "...the fact is we are gettg so great a boon that we ought not to hesitate...In a few days I hope all will be settled & the treaty signed."[109] The last wrinkles were ironed out and the treaty duly signed on 5 June, after which Hincks quickly returned to Quebec, as Parliament was to open on June 13. In the tense atmosphere of the short session of June 1854, the reciprocity treaty was one of the most prominent matters of discussion. In the speech from the throne, Elgin said that the treaty "will prove in the highest degree advantageous to the Colonies generally, as well as to the United States."[110] William Patrick, who moved the address in reply, called reciprocity "a boon which had long been desired and anxiously sought for by the people of this country...." He went further, saying that he "was sure that every interest in the country, the agricultural, the lumbering, and every other interest must unite in feelings of gratitude to the Government and to the Governor for having so successfully accomplished this object."[111]

Hincks was not well received in Parliament by the advanced Reformers or the Tories. He was forced to call an election, not because his development policies were unpopular, but because he had lost the ability to control the assembly. Lack of movement on the clergy reserves and seigneurial tenure were the main reasons he lost support, though the scandals also had a negative effect. There were thus too many reasons why an appeal to interest did not win over politicians or the people. Henry Sherwood, who supported reciprocity, said that the "true explanation" why the government wanted the free trade bill passed was "to give them popularity at the forthcoming election...."[112] As the government was about to fall, the Tories would not be diverted so easily. Still, when they joined the coalition in September 1854, they passed the ratification bill quickly.

While Hincks was committed to provincial development, as can be seen from his promotion of measures to improve internal transportation, provincial credit and revenues, as well as opening up new trade for Canada, these policies were part of his commitment to interest politics. His business sense led him to believe that such progressive policies would not only improve Canada's economic standing, but they would be popular with businessmen who directly benefited, and voters who reaped indirect rewards, from prosperity. Thus, business and politics were intimately connected. And while development appealed to Hincks and other businessmen-politicians, neither economic progress nor political benefits were enough to maintain a party's strength. A political leader had to keep the support of his followers, and, in the end, the voting public. In 1854, enough of Hincks' fellow politicians, whether connected with business or not, combined to defeat him twice, in June and in September. They had different interests at the time, even if they generally agreed on the question of economic development. Intangibles were thus important in the political process, but Hincks had always had to contend with pressures from within his party, and from without.

There is no question that interest was a potentially powerful drawing card, but it was not so to everyone. The divisions within the Reform party both assisted and limited Hincks' policies. His political life was complicated by the fact that he had to deal with the Conservative opposition as well as the radicals and conservatives in his own party. Hincks once referred to Baldwin as "the type of a class", though he himself can be characterized as the epitome of the businessman-politician. And just as Baldwin appealed to "other cautious slow judging men in the Province", Hincks attracted the pro-improvement, "go-a-head" class of people. The contrast between the two is readily apparent: Baldwin represented the old ideology; Hincks the new. S.F. Wise has demonstrated well that the Upper Canadian Tories had given up their attempt to establish a landed economy well before the Union, and instead created a system of alliances between social, religious and bureaucratic elites at the center and in the various regions of the province.[113] Baldwin, called by Lord Elgin the most conservative Reformer in Canada, did indeed represent the old order. Michael Cross, in an examination of Baldwin's 1851 resignation, called him the first victim of the Canadian economic revolution, and pointed out that the "unctuous" Hincks hurried along his leader's fall. Further, Hincks was "the genius who laid the cornerstone for a new economic order, for the industrial capitalism whose framework was then being laid with the first tracks of the railway boom." Cross argued that there was a deep gulf "between Baldwin and Hincks over the economy and the state", and outlined their clashes over usury laws, the bank of issue, limited liability corporations, and allowing municipalities to invest in railways. He noted Baldwin's resistance to capitalistic tendencies and "Americanization" in attempts by many politicians to mirror the economic success south of the border.[114]

Business and politics were inextricably interrelated from the earliest times in the Canadas. The activities of Robert Hamilton and Richard Cartwright are cases in point.[115] In the 1820s, W.L. Mackenzie left his occupation of merchant (first at York, then Dundas and Queenston) to take up journalism and politics-[116] much the same route that Hincks later followed. W.H. Merritt and William Allen are other prominent examples. Michael Bliss noted that Lower Canada had "a long tradition of Montreal merchants being actively involved in electoral politics." In all colonies, "political merchants" were often Legislative Councillors and "had close links with financial institutions...." This "merchantocracy" was increasingly challenged by ordinary people - reformers - who "were resisting rule by businessmen."[117] Though Bliss cited Isaac Buchanan as a businessman "who went into politics to further his interests", he argued that most "concentrated solely on their trade." Even in Buchanan's case, his partners opposed his political career, which "did nothing to enhance the business, and eventually contributed to the dissipation of his fortune."

Bliss argued that the introduction of responsible government further turned businessmen away from politics, as they preferred not to join "the organized factions, or parties, which jostled to form majorities in elected assemblies...Better to get on with business." The late 1840s were also years of crisis for the business sector: its reverses (free trade, lack of credit, the Rebellion Losses Bill, "misgovernment by venal politicians") - culminated in the Annexation Manifesto. Bliss suggested that the solution perhaps "lay to the south", and as the economy picked up in the early 1850s, businessmen's "equanimity returned along with their disinterest in big geopolitical issues...." Instead, "they concentrated on getting on with those incredible railroads, with manufactories, and more banks and life insurance companies, and layer after layer of new enterprises."[118]

Bliss' argument ignored several factors. Though businessmen could not get much done if they were unfriendly to the compacts before 1841, the union changed the situation considerably. The opportunities for advancement were markedly better, and Hincks stressed economic development in order to entice businessmen into politics. The Canada West section of the Reform party had pro-business and anti-business members. But for Hincks to promote development without the hindrance of tradition, anti-business elements had to be suppressed or eased out. He attempted to do so after 1848, although he was not entirely successful until 1851. While the activities of businessmen-politicians were increasing throughout the 1840s, it was also clear that business cut across party lines. However, from the beginning of the Union, the most obvious problem was evident in the Reform party, with Baldwin and Hincks taking opposite sides of the development issue. In the 1841 session, the first time Hincks opposed his party was on the Municipal bill introduced by Sydenham: Baldwin had many objections to the measure, but he could not agree to let local councils borrow. This question plagued the relationship of the two men throughout their careers, and Baldwin steadfastly refused to allow the councils "to raise money by loan on the security of tolls or taxes, but merely to expend the taxes raised." Hincks clearly differed, and though Baldwin, Aylwin, Merritt, Morin and a few other Reformers voted against the bill with MacNab and some Tories, it passed by a margin of 42 to 30.[119]

There are a number of examples of the split between the old order and the new, and the issues kept cropping up. In 1841, Hincks also broke with his party on the projected bank of issue, agreeing with Lord Sydenham that it would be best to establish "a perfectly sound paper currency by means of a single state bank of issue...." Hincks differed slightly on the means of achieving it, as he did not want "bank loans to the commercial classes...based on circulation", but he suggested that the banks "retain their right to issue, to the extent of their average circulation...."[120] However, the measure never did pass: Hincks noted that "The lower Canadians of French origin voted with Mr. Baldwin, as did Sir Allan Macnab, Mr. Cartwright, and other Conservatives in opposition." Baldwin was very brief, saying that the "measure was purely theoretical, and wholly without precedent"; he "was afraid of the extravagence of Parliament..." and the large amount of patronage the bank would give the government.[121]

There was a running battle among the old and new Reformers over limited liability companies. Michael Cross noted Baldwin's opposition to this kind of entrepreneurial activity in the mid-1840s, while Hincks was out of the House. In a discussion on the chartering of the Quebec and Lake Superior Mining Company, Toronto Tory William Boulton opposed an amendment by Reformer James Price "to the effect that the individuals comprising the company should be liable to the full amount of debts contracted, instead of being merely liable for the amount invested." Boulton argued that such an amendment "would discourage the investment of capital...[and] that it embraced a new antiquated idea; in fact, that, it was an antideluvian (sic) doctrine altogether...." Baldwin responded by saying he "was willing to bear all the odium of being considered an antedeluvium (laughter); he would vote for the amendment on the old fashioned principle that men were bound in conscience, and ought to be bound in law to pay all their debts...."[122]

Another subject of disagreement was the usury laws, which put a fixed ceiling of six per cent on interest that could be charged in the province. Hincks argued early in the 1841 session that a committee be appointed to enquire into the prevailing law, which "was productive of very serious injury to the true interests of the country." He was unable to arouse much interest in the House, and a bill from the Legislative Council fared little better. When it came up for second reading towards the end of the session, Baldwin spoke against the bill, "objecting to all new experiments, of which he said we had enough this session."[123] Hincks professed his astonishment at Baldwin's conduct, saying that Baldwin "had always expressed himself in favour of the abolition of this law", and a motion to adopt the bill was passed by a vote of 27 to 20. However, the bill was lost by the casting vote of the Speaker, and Hincks later noted that every French Canadian in the House voted against it, as did Baldwin, MacNab, Cartwright and other Tories.[124]

The question came up again in 1849 when Toronto Tory Henry Sherwood proposed a bill "to alter the laws relating to the interest on money in the Province." He argued that men should be free to borrow money at any rate and that, in practice, the law was flouted daily. His speech was particularly aimed at the French Canadian members, who objected to the measure.[125] Hincks wholeheartedly seconded Sherwood's motion, and though he knew that there were objections- particularly from Baldwin, who thought "that if the bill were passed it would inflict a vast amount of mischief on the parties throughout the country who were now in debt"- he wanted to make the law less objectionable than it was, and was prepared to support any amendment to improve Sherwood's bill. Hincks intended to proceed gradually to reduce the power of every "Legislative measure which fettered individual enterprise...." He, too, said that the law was evaded continually, and that he had done so when "He put his stock [in the Montreal Mining Co.] into the hands of a broker, and obtained an advance at an enormous rate of interest...." He sold the stock after one month and saved five hundred dollars.[126]

In this case, the ministry and the House split on the question. Smith, Wilson, DeWitt and Robinson, all Tories, opposed Sherwood's bill, as did Price, Merritt and Baldwin, all ministers. Baldwin and Hincks again strenuously disagreed. Hincks had said that anyone who would not vote for the repeal of the usury laws was a barbarian, and Baldwin, who had formerly been called an antediluvian, "believed he must be satisfied with being both an antediluvian and a barbarian", since "he was one of those old fashioned folk who had an idea, and who kept it till they found out that it was wrong."[127] The measure was put off for six months,[128] and it met the same fate in the sessions of 1850 and 1851, while Baldwin was still leader. It finally passed after much trouble in the 1852-3 session. Hincks' position shows that he was firmly in favour of unfettered capitalism, which appealed to businessmen; Baldwin was portrayed as hindering progress.

The means of improving internal transportation were also contentious. In August 1841, when the Board of Works schedule of proposed expenditures for the next five years was presented to the House, it called for the spending of £1.7 million, almost 82 per cent of which was to go to canals. Quite a few members objected, and Provincial Secretary S.B. Harrison decided to hold back construction on the St. Lawrence canals until a loan of over £500,000 had been secured. W.H. Merritt objected to this reversal and gave notice that he would oppose the schedule. Hincks disagreed with both Baldwin and Merritt, and argued that "as a representative of an agricultural population, he would contend that the internal communication should be improved, so as to enable our farmers to get their produce to market with as little cost as possible."[129] There were thus regional problems, as members from different areas had their own schemes.

In the end, contrary to the wishes of the government and Hincks, the Merritt-Baldwin amendment passed when the speaker cast the deciding vote. Later, £315,700 was voted for immediate work on the St. Lawrence canals. Hincks noted that of those who supported the canals, sixteen were Lower Canadians and seven members from eastern Upper Canada, in addition to Baldwin and Price. Of the twenty-five who voted for Hincks' motion on more roads for the western section, twenty-one came from west of Brockville and four were Lower Canadians. Hincks and others had not disagreed with building canals- only, as Owram noted, with "the total dominance that the scheme had achieved over other essential works required in the frontier society." Indeed, Hincks said that "enormous as the outlay was, none of the improvements had been considered unnecessary- on the contrary, some hon. members had even proposed to extend them...."[130] Late in the session, Hincks proposed an amendment to the Board of Works appropriations, still seeking roads for western Upper Canada, and though it was defeated, a plank road from Hamilton to Port Dover was added.[131]

Finally, the differences within parties were made most apparent when interests were at stake, and such problems made Hincks' job as legislator difficult. For instance, he found considerable disagreement on the method of setting the tolls in 1849. On April 7, Hincks put forward his arguments "for repealing the present Tariff of Duties" and substituting an ad valorem rate.[132] While he said that he believed in the general principle of Cayley's tariff, passed in 1847, the need for more revenue, as well as the wish to stop substantial smuggling and to simplify the system, led him to propose a new tariff scheme. The Tories, who were mainly protectionists, opposed the plan, with Cayley arguing against making such sweeping changes to a system that "had been in operation for only one year, and that one year of unexampled depression...."[133] There were many objections raised by members on both sides of the House, but those from Reformers forced Hincks to make some concessions and appeal to ministerial followers "to yield up their extreme views, and meet him fairly...." He compromised on the duty on cattle when pressed by R.N. Watts, agreed with W.B. Robinson that the duty on all manufactured articles should be raised from 10 to 12 1/2 percent, and lowered the duty on "pig and other kinds of iron" to please F.X. Méthot, Quebec MP and hardware merchant. Hincks raised the duty on spices, giving in to another interest,[134] and he had considerable trouble getting support for a 2d. per gallon duty on whiskey- the temperance-minded members demanded a 6d. duty but finally settled for 3d.[135]

Hincks' attempt to lower the duty on mess pork, which was a vital element in the lumber trade, led to an acrimonious debate and charges that speculators (and some MPs) would benefit considerably. Hincks protested the actions of those who pretended to encourage development, but who were more interested in protecting "petty, trumpery" manufacturers. When it came to "the greatest industry of the country...the only manufacture deserving the name", the member "who desired to provide for its interests was taunted with interested motives, merely because he was engaged in the trade."[136] While some thought that questions should be asked in such situations, Hincks' standards were obviously different. He was not concerned with conflicts of interest when it came to providing for such an important industry as the lumber trade as long as everyone benefited and no one was going to be hurt. However, the amendment was rejected by a majority of the House, including Baldwin. The Debates record that "a long time was spent by MR. INSP. GEN. HINCKS and Hon. Members on the Ministerial side in recrimination and explanation. Mr. Hincks warmly...((complained)) of Hon. Members on that side of the House not rendering the support they might have done."[137]

These examples of Hincks' differences with fellow Reformers help illustrate the personal side of Hincks' character and show where his interests lay. He did not appear to harbour grudges towards politicians- at least at this early stage. Richards, his opponent on the issue of joint stock companies, was later his Attorney General. Holmes, who later in the year supported annexation, was referred to in Hincks' memoirs as "my old friend."[138] Hincks was truly flexible: when it suited him, he could at least show as much rhetorical concern for widows and orphans as he did for the profits of bankers or manufacturers.[139] But he was a undoubtedly a staunch free trader and opponent of protection. He espoused quite loose standards of conduct for politicians dealing with matters in which they had an interest. There was no question yet about his own interests but he later maintained that his own conscience was the best judge about the propriety of business transactions. Even at this time, though, many others, particularly the businessmen as opposed to lawyers, thought the same way: as politicians, they were their own lobbyists and there were no rules governing the conduct of the members. To this point, Hincks was so busy with his duties as a minister that he had not yet had much opportunity to be too flagrant. However, he had been a merchant, banker and editor, and his policies were aimed at promoting the interests of business, and through business, the party and province.

From the beginning of his career, Hincks was concerned with the development of the province. He chose to live in Canada because he saw the tremendous potential for someone who was willing to work, and he quickly realized that business development needed a stable political system. He was active in constitutional reform societies after his arrival because he believed that the Baldwins' path was the correct one: responsible government would give the Reform party control of the political stage, and he saw (sooner than Baldwin) the potential of the united province when it was proposed as a solution to the colonial problem. He did not care about the details of the scheme, because he also realized that with control of the executive council, everything else would fall into place. Thus, in his first address to the electors of Oxford County, Hincks maintained his support of provincial development. Hincks actively participated as a businessman-politician in the economic life of Canada. He was closely involved in banking, both in Toronto and Montreal, and he was a promoter or director of insurance, telegraph, and mining companies. He maintained an encouraging attitude towards business, promoting limited liability companies and profiting from speculations. These qualities provided Hincks with an affinity for businessmen, and politicians with business interests.

Hincks did have problems with Reformers who did not care for business, men like Baldwin, Price, Aylwin, and some French Canadians. They objected to measures that would have freed entrepreneurial activity, allowing businessmen to charge what interest the market would bear, or borrow more than the capitalization of a company, or prey on the hopes of municipalities with regard to public works. The disagreements were open and did not seem to affect the personal relationship between Baldwin and Hincks, at least until 1851, but Hincks knew that the only way to make some progress on the usury laws, limited liabilty companies, and allowing municipalities the power to borrow, was to edge out Aylwin, Baldwin, LaFontaine and Price. This he had managed to do by the end of 1851.

The other theme examined in this chapter was Hincks' promotion of provincial development. From the 1830s to the 1850s, Hincks was concerned with setting in place measures to improve the standing of the provincial credit. By doing so, he reasoned, the climate in which business operated would also be improved, and the resulting prosperity would bring together moderate Reformers and moderate Conservatives in various economic activities. This was a policy Hincks pursued vigorously throughout his career. For these reasons, he promoted canals, worked diligently to improve the credit of the province, to ensure a steady inflow of revenue for the provincial coffers, and to presevere in negotiations with the Americans that would lead to more trade, while at the same time keeping a close relationship with Britain and the Empire. However, in order to facilitate trade, Hincks also had to keep Canada in step with transportation developments, and that meant that the province had to catch up quickly in the construction of railways- any tardiness would have given the Americans more of an advantage, and Hincks was determined that Canada should not be left behind.

[1] George Walton, York Commercial Directory, Street Guide and Register, 1833-4: with Almanack and Calendar for 1834 (York, 1833), iv.

[2] Douglas McCalla, The Upper Canada Trade 1834-1872: A Study of the Buchanans' Business (Toronto, 1979), 20. For the Ridouts and John Bowes, see DCB, 10: 619, and 11: 76. Isaac Buchanan also set up in York in 1831.

[3] DCB, 11: 407.

[4] T.W. Acheson described the hazards faced by the York entrepreneur in "The Nature and Structure of York Commerce in the 1820s", CHR, L, 4 (December 1969), 420. See also J.P. Merritt, Biography of the Hon. W.H. Merritt, M.P. (St. Catharines, 1875), 164.

[5] The bank was the first to pay interest in Upper Canada, and it further angered the Bank of Upper Canada by buying discounted BUC notes and cashing them for face value at its branches. William Allen and the BUC retaliated in kind, and though it weathered this storm, the Agricultural Bank defaulted in 1837. See DCB, 8: 895-8.

[6] DCB, 9: 240-1; 8: 896.

[7] MTCL, Baldwin Papers, Hincks to Baldwin, #2, 26 November 1835, 1-2; #3, November 1835, 1-2.

[8] DCB, 11: 517.

[9] Frederic Boase, Modern English Biography... (Truro, 1921), 6: 687.

[10] MTCL, Baldwin Papers, Hincks to Baldwin, #4, 27 April 1836, 2.

[11] DCB, 11: 517.

[12] Longley, Hincks, 28.

[13] W.G. Ormsby, "Sir Francis Hincks", in J.M.S. Careless, ed., The Pre-Confederation Premiers (Toronto, 1980), 149.

[14] F. Hincks, Reminiscences of His Public Life (Montreal, 1884), 16.

[15] Charles Lindsey, The life and times of Wm. Lyon Mackenzie and the Rebellion of 1837-38 (Toronto, 1972), 1: 346-50. Lindsey also noted Mackenzie's "very high opinion" of Hincks, "so much so that he [WLM] remarked to him [Hincks], that he should be glad to see him Inspector General of Public Accounts for Upper Canada." Mackenzie 'added with sleepless suspicion, "The only question with me is, whether you would be proof against the temptations of the position."'

[16] See R.S. Longley, Sir Francis Hincks (Toronto, 1943), 21-2.

[17] Peter Baskerville, The Bank of Upper Canada (Toronto, 1987), 108.

[18] Merritt, W.H. Merritt, 159.

[19] See MTCL, Baldwin Papers, Hincks to Baldwin, #64, 65, 25 March 1847. He

called the press "a miserable affair..." financially speaking. He dissociated himself from the press while a minister, and was thus not able to benefit from government patronage.

[20] Hincks, Reminiscences, 45. From Hincks' November 1839 address to the Oxford electors.

[21] MTCL, Baldwin Papers, Hincks to Baldwin, #65, 25 March 1847, 3-4.

[22] Ibid., #56, 27 June 1846, 2-3.

[23] NAC, LaFontaine Papers, #320, Baldwin to LaFontaine, 20 January 1844, 4-5.

[24] Ibid., #341, 15 June 1844, 6.

[25] MTCL, Baldwin Papers, Hincks to Baldwin, #65, 25 March 1847, 1-2.

[26] Hincks, Reminiscences, 125.

[27] Ibid., 126.

[28] MTCL, Baldwin Papers, Hincks to Baldwin, #60, 16 December 1846.

[29] Ibid., #65, 25 March 1847, 3-4.

[30] Ibid., LaFontaine to Baldwin, #48, 13 May 1847, 10.

[31] D.R. Beer, Sir Allan Napier MacNab (Hamilton, 1984), 18-9. This was one of MacNab's early promotions.

[32] AO, W.L. Mackenzie Correspondence, 9361-2, A.F. Bogue to Mackenzie, 30 May 1853.

[33] DCB, 8: 279-80.

[34] AO, W.L. Mackenzie Correspondence, 9362, Bogue to Mackenzie, 30 May 1853.

[35] MTCL, Baldwin Papers, Hincks to Baldwin, #64, 25 March 1847, 1.

[36] Ibid., #69, 14 January 1848, 1-2.

[37] To put his salary in perspective, in 1850, an unskilled labourer might earn £100 per year, while a highly skilled craftsman could earn three times that rate. See Desmond Morton with Terry Copp, Working People: An Illustrated History of the Canadian Labour Movement, rev. ed. (Ottawa, 1984), 4, 10, 19. Junior clerks in government service made about £150, while senior clerks could earn £300-400. At the other end of the scale, Lord Elgin received a salary of £7777.15.4, Chief Justice James Stuart received £1666.13.4, and the Attornies General made £1100. See Journals, 1851, Appendix B, Nos. 13 & 14.

[38] See Chapter 8, Hincks and the Scandals, 1852-54.

[39] MTCL, Baldwin Papers, Hincks to Baldwin, #40, 8 May 1844.

[40] Jacques Monet, The Last Cannon Shot (Toronto, 1969), 229.

[41] Robert MacKay, Montreal Directory, 1850.

[42] Statutes of Canada, 1847; see also R.A. Douglas, ed., John Prince, 1796-1870: A Collection of Documents (Toronto, 1980), 88- Prince recorded in his diary on 20 July (it should be 30 June) 1847 that he had just "Carried my own & Hincks' Mining Bills after a stormy debate & factious opposition from Baldwin & Aylwin."

[43] Debates, 1847, passim; see also Appendices to the Journals of the United Province of Canada, 1851, Appendix U.

[44] Debates, 1847, 579.

[45] Doug Owram, Building for Canadians: A History of the Department Canadians: A History of the Department of Public of Public Works (Ottawa, 1979), 9; see also Creighton, Empire of the St. Lawrence, 325-8.

[46] Owram, Public Works, 9-10.

[47] Hincks, Reminiscences, 44-5.

[48] Owram, Public Works, 13.

[49] Hincks, Reminiscences, 82.

[50] D.G. Creighton, The Empire of the St. Lawrence (Toronto, 1970), 343.

[51] R.L. Jones, History of Agriculture in Ontario, 1613-1880 (Toronto, 1977), 132-8; see also Jones, "The Canadian Agricultural Tariff of 1843", CJEPS, 7, 1941, 535-6.

[52] Dave McIntosh, The Collectors: A History of Canadian Customs and Excise (Toronto, 1984), 57-62.

[53] Hincks, Reminiscences, 189.

[54] Doughty, ed., Elgin-Grey Papers, 1: 136-7n, Inspector-General's Report.

[55] Ibid., 136, Elgin to Grey, 2 March 1848.

[56] NAC, Baring Papers, MG 24 D21, 1: 141-3, J.H. Dunn to the Barings, 22 April 1848.

[57] Ibid., 155-7, F. Hincks, Inspector-General's Office, to the Barings, 8 November 1848.

[58] Debates, 1849, 2: 1253.

[59] Ibid., 1576-7.

[60] Ibid., 1603-4.

[61] Ibid., 1707-8.

[62] NAC, Elgin Papers, Hincks to Elgin, 14 July 1849.

[63] For Hincks' progress in securing the loan during his visit to England and Ireland, June to September 1949, see NAC, Baring Papers, H. Merivale to Barings, 12 July 1849, 200-2; Hincks to Barings, 16 July 1849, 203-5; 20 July, 206-9; Merivale to Barings, 28 July 1849, 210-11; Canada, State Papers, Executive Council minutes, vol. J, 275-7, 30 July 1849; Baring Papers, 212-20, L.M. Viger to Barings, 20 July and 6 August 1849; Atcheson to Barings, 11 July 1849, 197; Glyn, Mills Papers, 79-80, G.C. Glyn to Hincks, 6 August 1849; 80-3, 10 August 1849.

[64] NAC, Baring Papers, 227-9, Hincks to Barings, 19 August 1849.

[65] Longley, Hincks, 171.

[66] Owram, Public Works, 53.

[67] Ibid., 54.

[68] Debates, 1850, 1: 804.

[69] Montreal Pilot, 27 August 1850, 2. See also Michael Cross, "The Stormy History of the York Roads, 1833-65", OH (March, 1962).

[70] Debates, 1850, 2: 1387-8.

[71] Doughty, ed., Elgin-Grey Papers, 688, Grey to Elgin, 12 July 1850.

[72] Doughty, ed., Elgin-Grey Papers, 1: 203.

[73] Ibid., 204.

[74] Merritt, W.H. Merritt, 343.

[75] Doughty, ed., Elgin-Grey Papers, 1: 256.

[76] Merritt, W.H. Merritt, 341, 345-6.

[77] Ibid., 348. For Hincks' memo, see Doughty, ed., Elgin-Grey Papers, 4: 1427-36. See also Michael Piva, "Continuity and Crisis: Francis Hincks and Canadian Economic Policy", CHR, LXVI, 2 (June, 1985).

[78] NAC, Elgin Papers, Note on Hincks' memo, December 1848, 1.

[79] Ibid., 3-4.

[80] D.C. Masters, The Reciprocity Treaty of 1854 (Toronto, 1963), 2-4.

[81] MTCL, Baldwin Papers, Merritt to Baldwin, 16 May 1848, 1-2.

[82] Doughty, ed., Elgin-Grey Papers, 1: 178.

[83] Merritt, W.H. Merritt, 339.

[84] Doughty, ed., Elgin-Grey Papers, "Inspec Office 4:Jany. 1849-".

[85] Ibid., 1: 281.

[86] Ibid., 344, 361, 406.

[87] Ibid., 377.

[88] Merritt, W.H. Merritt, 351.

[89] Debates, 1849, 1: 445-69.

[90] Ibid., 471-2.

[91] Ibid., 508, 514. The resolution passed shortly thereafter by a margin of 58 to 12, and Merritt was ordered to bring in a bill embodying the resolution.

[92] Masters, Reciprocity Treaty, 19.

[93] NAC, Elgin Papers, Hincks to Elgin, 29 July 1849.

[94] Masters, Reciprocity Treaty, 19.

[95] Ibid., 33.

[96] Doughty, ed., Elgin-Grey Papers, 2: 704, Elgin to Grey, 26 July 1850; Mrs. Dunscombe [sic] to Elgin, memorandum from J.W. Dunscombe's letters, 710-12.

[97] Ibid., 781, Elgin to Grey, 24 December 1850.

[98] Ibid., 806.

[99] NAC, Canada, State Papers, Executive Council Minutes, vol. M, 462-7, 18 September 1852, Inspector General's memorandum.

[100] NAC, Buchanan Papers, 63: 50030, Young to I. Buchanan, 25 September 1852.

[101] Ibid., 48: 39078, I. Buchanan to Morris, 1 October 1852.

[102] Ibid., 39083-4, Morris to I. Buchanan, 6 October 1852.

[103] Ibid., 42: 35035, McDougall to M. Cameron, 10 November 1852.

[104] Hincks, Reminiscences, 314.

[105] Ibid., 315.

[106] Ibid.

[107] NAC, Elgin Papers, Hincks to Bruce, 24 December 1853, 1-3.

[108] Ibid., Hincks to Crampton, 27 December 1853.

[109] Ibid., Hincks to Roberts, 30 May 1854, 3.

[110] Debates, 1854-55, 1: 2.

[111] Ibid., 24.

[112] Ibid., 32.

[113] S.F. Wise, "Upper Canada and the Conservative Tradition", in Edith Firth, ed., Profiles of a Province: Studies in the History of Ontario (Toronto, 1967).

[114] M.S. Cross, "The First Victim: The Canadian Economic Revolution and the Fall of Robert Baldwin, 1851", unpublished paper.

[115] See Bruce Wilson, The Enterprises of Robert Hamilton: A Study of Wealth and Influence in Early Upper Canada, 1776-1812 (Ottawa, 1983).

[116] Charles Lindsey, The life and times of Wm. Lyon Mackenzie and the Rebellion of 1837-38 (Toronto, 1971), 1: 36-7.

[117] Michael Bliss, Northern Enterprise: Five Centuries of Canadian Business (Toronto, 1987), 156.

[118] Ibid., 157-9.

[119] Hincks, Reminiscences, 67; Debates, 1841, 632.

[120] Hincks, Reminiscences., 71.

[121] Debates, 1841, 752.

[122] Cross, "The First Victim", 7; Debates, 1847, 1083.

[123] Debates, 1841, 240, 881.

[124] Ibid., 75.

[125] Debates, 1849, 2: 1313-4.

[126] Ibid., 1321.

[127] Ibid., 1330.

[128] Hincks was supported on the Reform side by Bell, Boulton, Burritt, Cameron, Egan, Fergusson, Hall, Holmes, Johnson, Lyon, McFarland, Notman, Dr. Smith and Thompson. But no French Canadian voted for the measure.

[129] Owram, Public Works, 17.

[130] Ibid.

[131] Ibid., 20.

[132] Debates, 1849, 2: 1745-6.

[133] *Ibid.*, 1754, 1756.

[134] *Ibid.*, 1845-6.

[135] *Ibid.*, 1875-7.

[136] *Ibid.*, 1881.

[137] *Debates*, 1849, 3: 1882.

[138] Hincks, *Reminiscences*, 194.

[139] *Debates*, 1849, 2: 1400-1.

Chapter IV

HINCKS AND THE RAILROAD INTERESTS

After the union of the Canadas, it did not take very long for railroads to become a major subject of discussion, with rival groups clamouring to obtain charters. There was hardly any mention of railroads during the 1841 session: when John Prince "humourously" asked for information on what was going to be done with the Great Western Railroad, the Chairman of the Board of Works, H.H. Killaly, "was silent...as he had not had previous intimation of the intended inquiries."[1] In a few years, though, a minister could not escape such a question so easily. Railroads came to dominate the political life of Canada, and of Francis Hincks. In fact, the only time Hincks used the threat of resignation to get his way occurred in 1851, when he and Robert Baldwin differed over aid to railways. That same year, Sir Allan MacNab boasted that "all his politics were Railroads, and he would support whoever supported Railroads."[2]

Hincks attended the dinner to Nova Scotia railroad promoter and politician Joseph Howe on 24 June 1851, and heard MacNab make his famous declaration. There was no need to tell him about the drawing power of his railroad policies. They were a major part of Hincks' plan to develop the province and appeal to the interests of Canadians. Yet one of the drawbacks of interest politics was that while it had a positive appeal, drawing some Conservatives to Reform policies, business cut across party lines in a negative way as well. Not all Reformers agreed with Hincks' policies, and a split with John Young, Alexander Galt, Luther Holton and others, weakened the party in the long run. Apparently, some interests superceded others. This chapter will continue to examine the theme of Hincks and development policies begun in the preceding chapter: it will focus on railroads as a specific case and show how Hincks' railroad policies were calculated to promote provincial progress, to benefit businessmen and to broaden the Reform party. In order to examine the workings of interest politics, there is no better example than railroads, which brought together members of most political stripes, along with businessmen and promoters, to benefit from the latest in technological and transportation advances.

In any examination of railroad development, particularly in the mid-nineteenth century, one must look at the positive and negative effects - the progress, and what has been termed "railway morality". The construction of railroads certainly had its positive effects. Economically, there was tremendous investment, jobs created, manufactories established producing finished goods, bulk cargos of wheat and timber transported, and thousands of people moved without regard to seasons. Towns, cities and points along the lines benefited tremendously. The economic spin-offs were countless. Philosophically, T.C. Keefer extolled the idea of progress: railroads would facilitate wonderful changes for all, including an improvement of diet because Maritime fish would be available in Canada.[3] He concluded that "as a people we may as well in the present age attempt to live without books or newspapers, as without Railroads. A continuous Railway from tide water to Huron upon the north side of the St. Lawrence, we must have, and as it will be the work of years we should lose no time in commencing it." He sought to arouse Canadians from their lethargy before they lost "capital, commerce, friends and children...[to] better furnished lands...."[4]

In all this was the image and promise of progress, but the government, and Hincks especially, hoped for more. Railways could be used for diverse political purposes. Businessmen would benefit, and might see opportunities to support or influence the party in power. They were drawn to Parliament, and Hincks' Reform party, in order to promote railroad development. Localities were involved more directly in large public works. Districts, constituencies, townships, even individual polls could be rewarded or punished by moving a route. Reform supporters in these various jurisdictions would benefit in ways as simple as having access to more convenient transportation, to jobs or contracts during construction. The main line was just the start - the rest of the province would have to be connected, and then branch lines would be built as feeders. MacNab's politics were reiterated by many others. In fact, he had come to this position (though he had been a supporter of railways since the 1830s) under Hincks' tutelage in the summer of 1849. By 1854, he had joined Hincks' party to carry on the buildi~~ng of railroads.~~

Morally, however, railroads brought temptation, conflict of interest, greed and corruption. T.C. Keefer found this out very quickly: by the time his pamphlet on Philosophy of Railroads had gone through four printings, he had parted compnay with the Grand Trunk; by 1855, his "Sequel" was a "treatise...on the ethics of their construction."[5] He believed that unless the promoters and politicians were watched very carefully, railroads could corrupt society. The railway age in Canada had hardly begun when critics like George Brown[6] and men like Belleville town councillor John O'Hare were worried about the new political realities. In early 1853, O'Hare passed on a rumour to A.N. Buell "that Hincks is to take the Presidency of the Railway Committee at £2000 a year and resign", and "Baldwin will fill his old place":

> I fear very much that this railroad business will produce corruption of the worst kind among some of the men who at present affect to lead the Reform party- the opposition are in that state that it will be very easy to purchase them if it has not been done already, and in the general scrabble there will ensue if the railroads are really built, constitutional questions, and good measures, will be lost sight of- If Francis Hincks and John Ross dont feather their nests pretty well, it will be a wonder.[7]

None of the rumours were correct, but the letter is evidence that there was much uncertainty among the public about the government and much speculation, fomented by critics like George Brown, about the effect of railroads on public men. Still, there is considerable truth in the notion that railroads were corrupting society: it was Hincks' plan to develop the province and promote its interests, and along the way businessmen and the Reform party would also benefit. The problem was that it was difficult to control such a scheme once started, and the possibilities for abuse, or "opportunities" for honest or dishonest graft were apparent. It was not unnatural, given human nature, that men would try to profit from railroads; it was difficult, however, to pin down illegal profit. This area underlines the fact that public morals were in a state of flux, and that railroads were outstripping the ability of the legal-political system to keep pace. To some critics, "railway morality" seemed virtually unstoppable; to others, it was synonymous with corruption.

The first Canadian railroad opened in July 1836:, but the Champlain and St. Lawrence was only a 14 1/2 mile link between Laprairie on the St. Lawrence opposite Montreal and St. Johns on the Richelieu.[8] The main provincial transportation system was still the St. Lawrence River-Great Lakes route. By the 1840s, even though so much money had been spent on canals, this system had not been finished and had not attracted the hoped-for American trade. When the British introduced free trade in 1846, the move threatened to undermine the whole system. The initial Canadian response was to finish the canals as quickly as possible and run them efficiently, but by then the Americans had fully entered the railway era. There was a great flurry of chartering Canadian railroads in the mid-1840s, though there was little money to begin construction. As the new decade began, Canada had only sixty-six miles of railroad, while the Americans had built 9000 miles, and again looked like they would be leaving Canada far behind. For Hincks, such developments represented opportunities for interest politics.

Reformers latched on early to railway promotion. In Quebec, Reform politicians had been promoting a Quebec to Halifax railway since late 1845: several met to plan a large affair, held at the end of January 1846 when a Halifax politician was in town. In Montreal, LaFontaine and others had been convinced by American John A. Poor to support a railroad to Portland, Maine, rather than Boston, and on 10 August 1846, there was a meeting of between six and seven thousand people on the Champ de Mars addressed by Hincks, G.E. Cartier, L.T. Drummond, Benjamin Holmes and C.S. Cherrier.[9] Hincks supported the St. Lawrence and Atlantic in 1845 at its beginning, when "Cherrier and Cartier became proprietors, with George Moffat and A.M. DeLisle [Tories], of large blocks of shares...."[10] A.N. Morin was a director and was elected president in 1848 after the Reform victory. Cartier was the company solicitor. All of this chartering was fairly innocuous - those who took up stock subscriptions paid only a fraction of the price. However, as Hincks re-entered the ministry, one of his concerns was to look for ways to assist railroad development and to promote the interests of businessmen.

As we saw in the previous chapter, Hincks' primary concern through 1848 was to organize the government's finances and find money to carry out routine business. By the end of the year, he turned his attention to promoting development through railway policy. However, the Quebec and Halifax railroad was on hold because of the state of Canadian finances.[11] The Executive Council did decide, based on Hincks' memo of December 18, to recommend the construction of the road, and as Grey put it, "...their offer of assistance towards the work is most handsome & their minute most skilfully drawn with a view to its production here - their bringing forward as if it was their own suggestion the proposal of a duty on Colonial timber is a great advantage to us...."[12] Thus the Council, pushed by Hincks, took a first step, but the Quebec and Halifax still had to face many problems. The proposal was the best that could be made when finances were so tight. Early in the 1849 session, Hincks responded to some opposition that the ministry should not undertake such a scheme as the Quebec and Halifax Railway when the province was supposed to be in financial trouble. Though Hincks knew that the railway would not likely be built, he mentioned the favourable report submitted by Major R.E. Robinson in August 1848, and said that it was "probable the railroad might be constructed by means of funds raised by the Imperial Government...."[13] However, the scheme would have to wait for better economic conditions.

The 1849 session was a turning point for the railways, which provided unlimited scope for personal, party and provincial interests. And the railways had sufficient at stake that they quickly learned to lobby the legislators. The St. Lawrence and Atlantic Railroad Company had been most diligent in its efforts to obtain aid, and Hincks thought that it would "be the first to avail itself of the advantages proposed in the resolutions...."[14] Merritt wrote his wife on February 11 about an outing to St. Hyacinthe laid on by the company for all members of Parliament. After they arrived, the promoters and politicians were met by a musical band, were given a tour of the college, lunch, speeches from Elgin and company president Morin. Merritt concluded that "the Company are expecting assistance from the Leg. to continue this Road, hope they may [not?] be mistaken-"[15] On the following Thursday, G.E. Cartier, the company's solicitor, introduced a petition praying for the Legislature's aid. The company, he said, had spent over £183,000 currency to build the thirty-mile section, had completed it under estimate, and it would, when completed, be a great benefit to Canadian trade by allowing movement of goods in winter. He noted that the company had not been able to subscribe adequate capital to complete the work because of "the embarrassed state of monetary affairs in England and in this Province...." Cartier also cited the beneficial result of the assistance given to railroads by the states of

Massachusetts and New York, and simply sought a similar application of the public credit for railways in Canada.[16]

The St. Lawrence and Atlantic was supported by several petitions from St. Hyacinthe, Montreal, and the District of St. Francis.[17] On April 4 company secretary Thomas Steers sent Hincks a letter (whether solicited or unsolicited is unknown), which was presented to the House as evidence that the directors "have full confidence in their ability to complete one half of the Railroad provided the Government will undertake, either by money or credit, to furnish the means of constructing the remaining half...."[18] Hincks' memoranda on aid to the railways were written on April 4 and were not discussed by the Executive Council until April 10, when he was authorized to present them to the House.[19] The company must have had some advance notice of the ministry's plans to have worded their letter in such a way. A.N. Morin, who had replaced George Moffatt as president shortly after the 1848 election, certainly had the ear of the government.[20] John Young, Benjamin Holmes and A.T. Galt (the first two were close friends of Hincks and Unitarians), would soon be prominent directors: Galt would be elected to Parliament on April 17 and chosen president of the company in 1850; Young was a vice-president when he sought election in 1851, after which he was made Chief Commissioner of Public Works. The close links between the company and the government explain why Steers' suggestion resembled government policy so much.

Hincks introduced the bill to the assembly on April 11. With Baldwin as seconder, he moved a series of resolutions "to make provision for giving the Provincial guarantee, on certain expeditions, for the payment of the bonds of Companies, incorporated for the construction of Railways...and also, for rendering aid to the construction of the Halifax and Quebec Railroad." Hincks referred to his two December memoranda and the government's intention to assist railroads "which were so necessary to the prosperity and advancement of the Province."[21] The plan was "to afford the guarantee of this Province, for the interest on loans to be raised by any Company chartered for the construction of a Line of Railway not less than seventy-five miles in extent...." There were many conditions: the interest could be no more than 6 per cent; the sum could not be greater than that already expended by the company and had to be enough to finish the work; no guarantee could be given before one-half of the road had been built; and the Commissioners of Public Works had to be satisfied that the work was completed "in a fitting manner." There was also provision for the construction of the Quebec and Halifax railway, which Canada would support by granting up to £20,000 per year, as well as land for the railroad, stations and termini.[22] Hincks also sought authorization for an addition of 10 per cent to all duties levied in the province.

It is indicative of the clamour for railroads that in spite of the risks the response of the House was overwhelmingly favourable. MacNab "was, he confessed well pleased with the proposition made by the Inspector General...." He said bluntly that "This was not a political matter; every man who desired to see his country prosper and improve, must support it...and he (Sir Allan) should be happy to give the Government the best support in his...[power] in carrying their measure." MacNab summed up Hincks' view perfectly- where interest was concerned, politics should be set aside. Other Tories followed MacNab with their support for the resolutions. Perhaps not surprisingly, dissent came from the Reform side: there was concern about the expense, as well as the fact that proposed lines that were shorter than seventy-five miles, such as those to Quebec City and Bytown, were left out.

To the French Canadians who objected, LaFontaine stressed that the province could not "remain locked up during six months in the ice" if it hoped to keep pace with the United States. Ice bridges were not enough, and he underlined the point by saying that "This year for the first time there had been no winter between St. Hyacinthe and Montreal." After the government assured that Quebec and other interests would not be forgotten, Hincks called for unanimity to impress "the English capitalist", and the resolutions were so carried.[23] Sixty-two members supported the resolutions- there were thirteen absent on April 12. Of the supporters, seven were directors of existing railways, fifteen would soon be promoters and/or directors, and twenty-one had presented petitions for railway interests.[24] The directors were all Reformers except for MacNab, and the future directors were also all Reformers. Of those who presented petitions, five were Tories.[25] The ministry's policy was obviously influenced from many quarters: the members themselves were interested in promoting railways and they were impressed by the American example. In addition, Hincks noted that he had consulted the governments of the provinces of New Brunswick and Nova Scotia, that both were willing to cooperate on the Halifax and Quebec Railroad, and that the Nova Scotia legislature had passed similar resolutions to the ones introduced in Canada and had already sent them to England. After the resolutions were passed, Hincks introduced a bill, which passed on May 25. There was no reported dissent.[26]

The line continued to have financial problems until October 1851 when it reached Richmond, 74.3 miles from Montreal, and became eligible for the provincial guarantee. Colonial capitalists did not flock to give money to this private enterprise, and Galt had to get his British American Land Company to put in £25,000. He also convinced the Sulpicians to buy another £25,000.[27] Hincks was even concerned about railroad finances: in early November, 1850, A.T. Galt consulted Hincks in Toronto "as to the best mode of procuring a loan for the completion of the Portland Railroad...." It still needed "some £100,000", though "the Administration are resolved to use their best endeavours in his behalf."[28] Long before this railway reached the Atlantic, it was incorporated into the Grand Trunk.

To pick up on a theme developed in the last chapter, while Hincks usually supported his leaders in the House, there were differences on development policies. Baldwin and Hincks were fundamentally opposed on the methods needed to promote development, with Hincks continually trying to push for more entrepreneurial freedom and government assistance. The question of railways, to Baldwin, was little different from limited liability companies, and though he seconded Hincks' Guarantee Bill, he never spoke to the bill in the House. The lack of support for Hincks' railway policy is a clear indication that Baldwin was not in tune with the feelings of the Reform party, or the House in general. In fact, Baldwin opposed an attempt to incorporate the Toronto, Simcoe and Lake Huron Union Railroad Company. He called it a "lottery scheme" and moved to give it the three month hoist. W.B. Richards tried to circumvent Baldwin by inserting a clause to prevent the company from receiving provincial aid. Though Baldwin's attempt to put the bill off was defeated by a margin of 27 to 12, it passed the House and the Council. Nevertheless, Baldwin saw that it was reserved at the end of the session. H.J. Boulton, who presented the bill and was a promoter of the company, wrote Baldwin on 17 May 1849, accusing him of expediency and ignoring the principle of responsible government.[29] Hincks was in London or he might have agreed with Boulton in this instance.

The public disagreements continued between the two Reform leaders, and cropped up again during the 1850 session over MacNab's bill to enable municipal corporations to take stock in the Great Western. Baldwin and Cauchon disapproved of establishing a "principle by which Municipal bodies should have the right of contracting heavy and perhaps ruinous debts, which they would have no means of discharging."[30] Baldwin suggested as a safeguard that assessments could be used to pay off debts within 20 years. When some members wanted to let even townships and villages borrow to help railways, Hincks proposed an amendment that would limit "this power to all except township municipalities...", the smallest of local government bodies. However, the amendment was not put to a vote, likely because of Baldwin's objection. Hincks countered with another amendment to open up the aid to railroads other than the Great Western. That was passed by a margin of 40 to 8, with Baldwin in the minority, but Baldwin saw to it that the Legislative Council limited it again to just the Great Western. Baldwin had won this round, but only briefly.[31] In April 1851, Baldwin again objected to Hincks' proposal to create a municipal loan fund that municipalities could borrow from to invest in railroads. Both men threatened resignation, and though the matter was patched over for a short time, once Baldwin left at the end of June, Hincks had free reign.

As a promoter of railways Hincks had been fairly successful, as his work on behalf of the St. Lawrence and Atlantic and his interest in railroads in the southwestern part of the province showed. These provided economic and political benefits for Hincks, his constituents, and the province in general. We can get some idea of the orgy of development that characterized this period by focusing on Hincks' role in Oxford County's railway mania. Hincks was not even on the Legislature's Railway Committee until Peter Perry's absence necessitated a replacement in June, 1850. Joseph Cauchon, called "a cat's paw or jackall to the ministerial lions" by Papineau, proposed Hincks' name, which was added to the committee even though Hincks "protested he had quite enough to do, without advising the Railroad Committee."[32] The day after, 13 June, Hincks presented a bill to incorporate the Niagara and Detroit Rivers Railroad.[33] Its backers, composed of MP John Prince from Sandwich, people from Bertie (on the Niagara River), and Americans, were apparently concerned with the slow construction and different gauge of the Great Western.[34]

MacNab, who had opposed the scheme the previous session, noted that "It was a singular coincidence that the Inspector General had been appointed to the Committee on Railroads just before introducing the bill...." Hincks explained that he, too, "had opposed the bill last session because a very large majority of his constituents in Oxford were in favour of the Great Western Railroad, while now the same majority were in favour of the Detroit and Niagara Rivers...[and he] had been asked to take charge of the bill by the parties interested."[35] The Pilot's Toronto correspondent explained that the Niagara and Detroit Rivers Railroad had changed "their proposed route, which now would come through the County of Oxford, instead of passing to the southward of it."[36] If Hincks can be believed, he was concerned with promoting a line supported by the people of Oxford. MacNab was dubious about the entire proceeding, and it is very likely that Hincks did get himself put on the committee to increase his influence on the questions of allowing municipalities to invest in railways and to benefit his constituents while the Great Western was having problems. Another explanation is that Hincks was trying to gather support from those who favoured railways and progress at a time when the Clear Grit influence was rising in the western part of the province.

When the bill went to committee on 29 July, MacNab, seconded by W.H. Scott, proposed that it be put off for six months. MacNab also spoke in favour of his railroad, stating that "it would be unjust to grant a Charter to its rival ['an American job'], at that critical time when its rapid construction was just about commencing...." Hincks responded "at great length, in favor of the Niagara and Detroit Road, and with his usual talent in figures illustrated the difference in the cost of construction, as well as the probability of securing the best trade, in favor of the road he advocated."[37] When it seemed that the House was fairly evenly divided on the issue, Hincks offered a compromise "to the effect that the Bertie Company were prepared, if their charter was granted, to build the road from

Detroit to Hamilton thus abandoning all their objections to the expensive portion of the route, and actually offering to surmount difficulties which they had from the outset declared insurmountable."[38] In other words, they did not want to build a railroad on the Niagara peninsula, where the engineering problems were immense, and proposed a merger with the Great Western. However, Hincks did not put forward an amendment and the deal was not taken, the bill being given the hoist by a vote of 34 to 32.[39] The Bertie people, even with Hincks on side, apparently did not have as much clout as Hamilton.

Hincks was also closely connected with another local railroad, the Woodstock and Lake Erie Railway and Port Dover Harbour Company. It was originally proposed for incorporation as a joint stock company in 1847, mainly by Woodstock Tories: John and Henry Vansittart, John's law partner Thomas Cottle, Justice of the Peace P. Graham, Colonel Edmund Deedes, James Carroll, and others. The bill was reserved by Elgin and did not receive royal assent until after the general election, on 15 April 1848.[40] Very little more was done until 1852, when the company proposed another bill to amend its charter. Hincks sent a telegraph to Arthur Farmer in Woodstock, on 3 June 1852, that there was "no doubt of carrying the bill to please you- the delay is caused by pressure of business which keeps us working night & day."[41]

When the House met that fall, Hincks presented two petitions from the company requesting the passage of an amending bill.[42] Hincks complained that he was "without information as to the terminus", and since the bill was not specific enough, he warned that it "cannot possibly be granted...It must be defined."[43] In early December, Hincks said he was still "in ignorance of what is really wanted",[44] and on 15 December he suggested that Shenston "pass a Bye Law authorizing the Sale of Stock whenever a favourable opportunity should offer but I would not sell it now." He thought that the stock would "be worth much more" when the road was operating, and that the county would not have to pay for anything.[45] In the new year, Dunnville, at the mouth of the Grand River, was chosen as the terminus, and the bill was duly passed on 14 June 1853.[46]

The next step was to plan the construction of the railroad- the company had two years to begin work and ten years to finish it.[47] Arthur Farmer apparently asked what should be done, and Hincks responded with "a hasty sketch of the financial plan which I would suggest as most likely to ensure success." He advised that a reputable engineer, such as R.G. Benedict,[48] should first survey the line and then construction should be tendered to "a reliable contractor able to give security to complete the road on a plan equal to the Great Western which is well known in England...."[49] Hincks made some other suggestions, pointed out their advantages over other schemes, and said "I am very sanguine indeed that I could carry such a scheme through." When Farmer and the Board asked Hincks if he would "carry the scheme through", Hincks became president and director of the Woodstock and Lake Erie.

J.K. Johnson argued that the Woodstock and Lake Erie was one of the interesting examples of railway morality in the 1850s. He suggested that Samuel Zimmerman, "Welland Canal contractor, builder of half a dozen railways, owner of hotels, foundries, mills, utilities, real estate and of his own bank", was Benedict's choice for a contractor. Zimmerman did get "the contract in preference to three other bidders."[50] Zimmerman, called a "bold operator" by T.C. Keefer, knew all the different ways of bullying localities and maximizing profits. Keefer outlined the shortcuts that were used to reduce the cost of construction and how poorly built railroads were. Both Gustavus Myers and Johnson related the incident about a Windham township (in the south of Oxford county) reeve, who, after a loan of $100,000 was voted, had "scruples" about signing the papers to allow the company to obtain government debentures. The scruples were quickly removed by a bribe of

$1,000, less $100 for the messenger.[51] Myers also singled out the Woodstock and Lake Erie Railway for its blatant wrongdoings, including the fact that construction was suspended by the contractor in 1854 after subcontractors had been paid £87,000 for £32,000 worth of work: "Some of the directors boldly grafted large sums. They caused the railway to be surveyed over much of their own land which they had bought cheap or got for nothing, and they now made the municipalities pay them heavily for it. For a worn-out brick yard the Company paid £5000."[52] Perhaps Hincks was not involved in these activities, but his friends certainly were.

While Hincks was still president of the company, he prepared the way for it to buy the Port Dover Harbour Company. On October 6, he wrote Farmer that it would cost £740: "I hope the Harbour will pay interest on its cost as I hardly think much progress can be made with the road in the present state of the money market."[53] But before the sale was consummated on 14 November,[54] Hincks decided to leave the company and sent a telegraph to Farmer from Quebec on 12 October:

> I strongly advise suspension of proceedings regarding Secretary. Pray relieve me from Directorship it can be done now quite well I cannot attend to duties [D]o you intend giving out contract this fall if so it seems important that the question should be settled whether the Municipal aid is to be given by a loan to Company or by taking stock before any action is taken on Bylaws 68219/4.[55]

Hincks' resignation took effect on 18 October.[56] There is no further indication of contact with the company, but the explanation might be that Hincks began to experience the pressure arising from the "£10,000 Job" and wanted to distance himself from close railway connections. There was, however, no mention of Hincks' connection with this railroad in any of the proceedings on the scandals.

Another line that Hincks was involved in peripherally was the Brantford and Buffalo Railroad's extension to Goderich. T.S. Shenston, Hincks' county agent, and other interested parties in Woodstock wanted the railroad to intersect the Great

Western in their town, or at least traverse part of Oxford County. Shenston apparently complained to A.B. Bennett of Brantford, who assured him that Woodstock had not been forgotten and that "a very great majority of the people of Brantford" did not support the "few of our townsmen" who proposed Paris. Bennett said he supported "the open bill, or one with Woodstock named...."[57] However, Hincks wrote Shenston on November 6, the day after the bill had passed with Paris as the point of intersection,[58] that nothing more could be done. He told Shenston that he had voted to leave the question open "owing to the local feelings of my constituents", but he agreed with the decision:

> ...no "influence" can be brought to bear to do acts of injustice merely to serve a locality...it cannot be supposed that the Governt should oppose the construction by private parties of Railroads sought for by the public because they do not pass through a county represented by one of themselves. Can you give any good reason against the Toronto & Sarnia RRoad or the Buffalo & Brantford & Goderich?[59]

Still, those in Woodstock were not happy: Shenston and James Laycock, a general store owner, wrote to complain to Hincks.

However, in this instance, Hincks would not change his opinion. He tried to convince his supporters and friends that nothing else could have been done. He argued that no-one could have foretold the arrangement before the Railroad Committee met, and after Paris was named, he could not "yet understand on what ground it could be urged that the Leg. should compell a Coy to go where they did not wish to go & this it seems is what I was expected to carry."[60] This case is different from the 1850 one in which Hincks was working with local interests. He now seemed to be arguing that local interests had to give way when greater objects were more important. Perhaps he was trying to keep Brant County MP David Christie and the Great Western happy by avoiding controversy. This position, while possibly an indication of Hincks' provincial outlook, may have had more political ramifications. He did not have to worry about Oxford County, but a railroad through Paris to Goderich would pass through two new constituencies, Brant West and Perth, and end in Huron and Bruce, Malcolm Cameron's seat. There was some dissatisfaction among Clear Grits about Cameron's position in the government, and any help in the west might prove decisive.

The larger lines were less political than economic, though they also had large political and social ramifications. Hincks' interest in the progress of the Great Western began fairly early. His concern with this line, and his growing affinity with its chief promoter, Sir Allan MacNab, would have important repercussions in 1854. Hincks told Thomas Shenston in 1848 that all his "sympathies are with the Great Western Road", although at the time he saw no chance "of their being able to get on with it." Since the government could not afford to aid any railway project, some were being delayed: Hincks noted that he had so far "opposed granting any charter to the Detroit or Southern line"- a substitute for the Great Western- and would change his mind only if the Great Western was unable to go ahead "in which case the importance of a railroad across the peninsula may induce some to grant permission to any parties who will undertake to make one."[61]

If Hincks was to succeed in his railway policy and his mission to England to raise money, he needed support from Canada, particularly business-minded Conservatives. Whatever goodwill the government bought with the aid for railways, evaporated for many prominent Tories with the passage of the Rebellion Losses Bill. This crisis illustrates the flaw in Hincks' plan for promoting provincial development and broadening Reform support among businessmen: when fundamental passions were aroused, business sense was ignored. The burning of the Parliament buildings on April 25 was a manifestation of Tory anger over the passage of the Rebellion Losses Bill, which, the Tories charged, paid rebels for damage done by the loyalists while suppressing the risings of 1837-38. Montreal was in ferment sporadically throughout the summer of 1849. MacNab and Cayley were sent on a protest mission to London, and the choice fell on Hincks[62] to defend government policies, as well as to do some financial business for the province. The Tories' actions in England and Canada were having an unsettling effect on the financial community, which had not yet recovered from the shocks of 1846-47, and Hincks knew it was vital to try to bring them to their senses. He thus wrote very interesting letters to MacNab and Cayley on 8 June 1849:

> It is manifest that if want of confidence be felt in the public security of the Province the stocks of our monied institutions, and our Railway enterprizes will materially suffer. With regard to the latter you must be aware of my exertions to mature, and carry through Parlimt a measure, calculated, if our Provincial undertakings were looked upon in this country with the favour they deserve, to ensure the completion of our great lines of Railway.[63]

This letter is a forthright appeal by Hincks to the Tories' interests and those of MacNab in particular. He hoped that such an appeal to their business sense would not compromise their political opinions, but he concluded by driving home the point that cooperation "in our Province would yield such handsome remuneration to the capitalists...." The letter was a forceful reminder that all their interests would be served by playing down the late disturbances and reassuring British capitalists as to the soundness of Canadian institutions. Hincks was trying to combat what were to him irrational passions, and he did not seem to understand that people regarded issues such as the Rebellion Losses, clergy reserves, and seigneurial tenure more emotionally than provincial development.

MacNab soon discovered the consequences of his political agitation. On July 11, Robert Atcheson, a London merchant and later attorney for the railroad in Britain, wrote the Barings that MacNab and Peter Buchanan, Isaac's brother and partner, were preoccupied with an offer made by Mills of Glyn, Halifax and Mills: if the Canadian government would take five-eighths of the company stock, instead of one-half, Mills' bank would provide the capital required. Atcheson noted that the Canadian government had not even agreed to take four-eighths, "but Sir Allan hopes to prevail on Mr Hincks to agree, on the part of the Province to do so, and to extend the amount to five eighths." However, he thought that Hincks would not "entertain the proposal" "until his own wants, (which are large I believe) are satisfied...."[64] For Atcheson, Hincks' possible refusal to assist the Great Western was based on the fact that the provincial government's needs were a higher priority. He did not say it was also unlikely that Hincks would help MacNab while the latter was criticizing the government so strongly and stirring up Tory passions.

In August, MacNab was having more trouble with the English directors of the railroad and the banks than he anticipated.[65] At this point, the Hamilton board of directors of the Great Western asked its president, Robert W. Harris, to write Hincks to use his influence with British bankers "for the sale of a part of the Capital stocks of the Great Western Rail Road Cy." The object was to bypass MacNab and his politics, and show Hincks that the Hamilton board did not think MacNab's actions were benefiting its interests. In his letter of August 10, Harris explained the company's position, and the opportunity Hincks had "of making arrangements advantageous to all concerned...." If Hincks could get any British bank or lending institution to take one-third or one-half of the company's stock, "the Directors would be willing to give any handsome bonus either as agency or commission (to be agreed upon, if the matter is entertained) and they consider said bonus would be well spent in enabling them to prosecute the work, at once, under the most favourable circumstances."[66] In the case of the Great Western, railroads obviously cut across party lines.

Hincks continued to interest himself in the Great Western. Before the 1850 session ended, MacNab introduced a bill to empower the Great Western to build a branch line to Guelph.[68] According to Donald Beer, Hincks supported this bill.[69] He went to New York on business for the Great Western in September, 1850, and by mid-October "either positively succeeded, or made such arrangements as are likely soon to result in that end [forwarding the Great Western]."[70] Hincks' actions on behalf of the Great Western earned him the praise of the Tory Hamilton Spectator after a "well-timed" visit to Oxford. When the Oxford Municipal Council took up the question of whether to take £25,000 of stock in the Great Western, there was very little support. The resolution was deferred by "the exertions" of Messrs. Tiffany and Wilson, two company officials "accidentally" in Woodstock. Then Hincks, on an electioneering visit, "came to the rescue, and did good service" by addressing the council along with Tiffany; they secured a vote of 10 to 2 in favour. The Spectator said that "We have precious little affection for Mr. Hincks as a politician, but we only do him a simple act of justice in stating that he has done his utmost to assist this great Provincial work, and his services are of no slight value in such an undertaking."[71] This statement was extraordinary for a Tory paper, as the Pilot's Toronto correspondent pointed out: he added that the "Spectator and others interested in the railway referred to, are just opening their eyes to the value of the Inspector General's talents and abilities; indeed it is far from being improbable that he will soon receive their undisguised support as a representative of the Western section of the Province...."[72] Hincks' assistance to the Great Western was winning him popularity and broadening his support: interest politics was paying off.

In late 1853, the Great Western was having problems because of MacNab's increasing ineffectiveness. The railroad was trying to protect itself from the Grand Trunk but had internal difficulties: MacNab had been removed as president in 1849 and given the figurehead role of chairman. He was known to favour the trunk railroad, but was having problems securing the Great Western interests in Parliament.[73] The Hamilton board thought it necessary to send MacNab help in the fall of 1853 to make sure that the Hamilton-Toronto extension was secured, and the Grand Trunk prevented from extending its Toronto and Guelph line to Sarnia. As to the former, MacNab was quite exuberant on October 15 when he thought he had made the government yield:

> The Battle has been fought with regard to the Road from Hamilton to Toronto- Jackson had contracted for it in England- but he had to give way, or we would have smashed his whole project- the Road from Galt to Guelph will also be secured...The Toronto and Guelph Road- in which the Canada Compy join in extending to Sarnia- will I think get a three months hoist- the Government I think will go with me- and my friends.[74]

But MacNab was wrong about the Guelph extension of the Great Western's Galt branch. He did not secure it, although he had been able to convince the Railroad Committee to limit the extension of the rival Toronto and Guelph to Stratford.[75]

Local differences in the western section frustrated MacNab: George Brown, who represented the county surrounding Sarnia, argued that the counties north of the Great Western deserved a line of their own, and that Sarnia itself had been promised as the western terminus until "American interests had prevailed over Canadian, and Detroit got the preference." Several Tories opposed the Great Western's monopoly, and Hincks brought the final blow when he agreed that it should not have an exclusive charter.[76] The Toronto and Guelph was thus incorporated with the extension to Sarnia approved by the House.

It should be pointed out that there was a political motivation behind Hincks' declaration against the exclusive right of the Great Western, since others would have been prevented from chartering lines. Still, Hincks remained friendly with the Great Western people. When he wrote Peter Buchanan on 4 December 1852, it seemed that he had been asked to be one of the incorporators: "...the Hamilton & Toronto charter went well though I cd not let my name be put on the list of corporators but I am obliged for your recollection of me as evinced in your letter."[77] Hincks appears to have been quite close to the scheme, despite his opposition to the Great Western's position on Sarnia and competition in western Upper Canada.

In order to benefit from his railway policy, he had to keep on good terms with all interests.

The decision of the House was quite a shock to the Great Western. One of the provisional directors of the Toronto and Hamilton, Joseph Morrison, a Toronto lawyer, Hincksite and vice-president of the Ontario, Simcoe and Huron Union Railroad Company, wrote Isaac Buchanan on 13 December saying that "The sooner the stock is subscribed and the Company organized the better- particularly if circumstances should occur to discountenance the extension of the Guelph line to Sarnia."[78] Buchanan assured Morrison that MacNab had gone over to England during the recess to push "the Sarnia to London and Hamilton to Toronto Roads...."[79] By the time MacNab saw Peter Buchanan in Glasgow, a prospectus had been issued, stock sold, and a contract let to the English firm of George Wythes.[80] All these steps were apparently illegal, and the Canadians had little choice but to "adopt their proceedings - and support them-"[81] MacNab asked Buchanan to talk to Zimmerman, who had been promised the Hamilton and Toronto contract, "to keep his mind at rest- he has a good deal of influence with Hincks- if indeed they are not interested in something together." Unfortunately, he did not elaborate.

Isaac Buchanan did not seem to be too disturbed by events- he found out about the arrangement before MacNab and wrote Morrison that "Sir Allan...will arrive at Liverpool to be agreeably surprised to find half his work done to his hand." He assured Morrison that "all is and will be right I doubt not": "Some may say that Canadian Capital might have done this but we are conscientious believers in Mr Hincks' being the greatest Benefactor to the country in having secured Mr Jackson the Trunk line. Canadian capital or ability has enough to do with Branch Roads...."[82] Morrison, though, was not quite so ready to go along, arguing that "Those Trustees [in England] had no right to suppose that all the stock might not be subscribed for in this country or that the Road could no be built by provincial contractors-" He had such doubts that he was reluctant to become a director.[83] Buchanan convinced Morrison to stay on, but did so by holding out the possibility that he would soon be made the company's parliamentary agent.[84] Hincks was also involved, writing Peter Buchanan on 28 January 1853 that he was "truly glad to hear so good an account about the G.W. prosperity", and added that "I wrote Morrison fully however & he was most inclined to give trouble & by a letter from him a few days ago I was glad to find that he is all right now."[85] He had helped the Great Western again.

Morrison was then told by Buchanan in a letter of March 18 that he would not be appointed a director. Morrison said that he felt duped after all "the trouble I have taken to allay the well grounded discontent & divert the opposition that sprang up to your proceedings."[86] He threatened opposition in the House, but Buchanan soothed his feelings again, and Morrison was appointed to the board on 4 April. In fact, after Buchanan and MacNab had a falling-out in April,[87] Morrison was asked on 24 September 1853 to be the parliamentary agent for the Great Western Railway, replacing MacNab. Samuel Zimmerman was apparently behind this move, and Hincks and Morrison remained quite close despite the antagonism between the Grand Trunk and the Great Western.[88]

Local and regional railroads were important in linking smaller centers to major ones, and in facilitating the transport of bulk goods from the American midwest and the Canadian mid-north through the Laurentian system. These railroads were a tremendous technological advance over plank roads and canals: they symbolized progress in the age of iron and steam. In another sense, though, there was a certain wariness exhibited by Canadians about the new age. They had been witnesses, albeit at a distance, of British and American promoters' promises, of the results of railway construction, and of the huge sums made in the process. There had been considerable speculation about building a line through the province and linking Canada with the Maritimes, and rumours that the imperial government would be involved in the financial backing. But when the politicians and promoters got involved, the speculations were made definite, and many objected to the scheme. The polticians' concern was getting a railway built for political and economic reasons; the bankers, promoters and contractors hoped to make money from the enterprise.

Hincks realized that Canadian businessmen could not compete with the neighbouring Americans without a system of railroads that connected the western end of the province with the Atlantic. The question was complicated by the other governments involved. The British government was reluctant to fund any British North American railroads. In Nova Scotia, Provincial Secretary Joseph Howe supported government rather than private construction, and in 1850 committed his province to the European and North American Railway (Portland-Halifax-Galway-Holyhead-Liverpool-London), as did Premier E.B. Chandler of New Brunswick. In early 1851, Howe convinced the British merchants and government that they should support colonial railways: the result was an offer of £7,000,000 to build a line through the Maritimes and the Canadas. The problem was that the line supported by those in the Maritimes and Maine connected with the United States, and thus would not qualify for the British loan. Howe and Chandler met with Hincks in Toronto in June 1851: they accepted the British offer and hoped that existing railroads, or projected railroads, could be assisted.

Thus, shortly after he became leader of the Upper Canadian branch of the party, Hincks introduced enabling legislation for a trunk line of railroad that would connect Detroit with Halifax. He said that the province should construct a line from Hamilton, through Toronto, Kingston, Montreal and Melbourne (with a branch to Quebec) to the New Brunswick border, where it would link with a line through the Maritime provinces to Halifax.[89] He estimated that it would cost Canada £4,000,000, and said that "he expected to make an arrangement with the sister Provinces to build that portion of the road [from Quebec to Halifax] on joint account so that each would pay one-third of the cost, and receive one-third of the revenues." He also mentioned that the British government would provide £7,000,000 for the whole project. This scheme drew criticism from several Tories (MacNab was not in the House for any of the debates on the subject) and disaffected Reformers like Henry Boulton and W.H. Merritt, but amendments to the resolutions were easily defeated and the bill had no opposition. Four million pounds were granted and a bill passed to raise a loan for the construction of the Canadian section.[90] There was a provision that would extend the guarantee to private enterprise if the government could not build the main line. And Hincks made sure that municipalities could borrow money that could be invested in railroads.

The Grand Trunk Railroad rose from the ashes of the Intercolonial in May 1852. Though G.R. Stevens argued that "Hincks double-crossed Nova Scotia and New Brunswick in the matter of the Imperial Guarantee", an "act of treachery" that "aroused deep resentment", he was patently wrong.[91] There were concerns that a railroad between Canada and Halifax would not pay, but the Maritimers' themselves disagreed about what kind of system they wanted: even Stevens noted the Nova Scotians' desire for short lines radiating from Halifax and New Brunswickers' wish to connect to New England. It became clear, early in the year, that the imperial government was not willing to guarantee the Intercolonial Railway if it included a connection with the United States through New Brunswick. Shortly after turning the sod on the Quebec and Richmond Railway, Hincks set off for Fredericton and Halifax with E.P. Taché, John Young and Charles Archibald, member of the firm of Peto, Brassey, Jackson and Betts. Hincks first convinced the Chandler ministry, then Howe and the Nova Scotia government, to join in a compromise arrangement. Rather than follow Major Robinson's north shore route, which was intended to open up new territory, and which Nova Scotia supported because Halifax rather than Saint John would be the terminus, Hincks got both New Brunswick and Nova Scotia to agree to a main line along the Saint John - Madawaska rivers route. Even though Halifax would suffer, Hincks used a public meeting to appeal to Nova Scotians, saying that the project would not survive unless sacrifices were made. Delegates from the three colonies were to meet in London to press their case on British officials.

Hincks went over on schedule, sailing on 4 March, but Chandler and Howe were delayed and said they would follow in two weeks: Chandler did so, but Howe repeatedly delayed and never did cross. Though Stevens argued that Hincks "took steps to ditch the project", Hincks defended his actions by saying that it was "hardly possible to conceive the misunderstandings and embarrassments caused by Mr. Howe's repeated failures to fulfill the undertaking of the Nova Scotia Government."[92] He wrote to Colonel Bruce, Elgin's secretary, "that Howe has behaved most shamefully."[93] In addition, by the time Hincks had arrived, there had been a change of government, and Lords Russell and Grey, who had grudgingly favoured the colonial arrangement, were replaced by the Tory ministry of the Earl of Derby, with Sir John Pakington as Colonial Secretary. For a while, Hincks was optimistic that some action would be taken. E.P. Taché wrote LaFontaine on April 27 that Hincks was sending back "de flateuses espérence sur le résultat de sa mission", and that his "Entrevues avec les Ministers & les capitalistes ont été très satisfaisantes."[94]

In the end, though, the British government raised objections to the line passing through settled territory in southwestern Canada West, and pointed out the lack of surveys for the upper Saint John River route. Howe's tacit withdrawal sealed the fate of the Saint John Valley line.[95] The refusal, however, came after Hincks addressed a very strong letter to Pakington on May 1, saying that Canada would no longer continue "a negotiation which has already involved her in much expense and trouble, and which has naturally retarded other arrangements which can be made for securing the construction of the most important sections of a great Canadian trunk line of railway." Further, he flatly stated "that I have not been sent to England as a humble suitor on the part of Canada for Imperial aid." He wanted to know at once if the government would support the Canadian and Maritime scheme he and Chandler proposed, because "I have reason to believe that I can effect an arrangement on the spot with eminent capitalists to construct all the railroads necessary for Canada on our own unaided credit...." He explained that he had to leave for Canada on May 22, and he set May 15 as the date for a final answer- if a decision could not be made by then, "Canada withdraws from the present negotiations, and I shall deem it my duty to enter into other arrangements...."[96]

The ultimatum did cause quite a stir in England and the colonies, but as Hincks explained to Colonel Bruce on 7 May, "It was absolutely necessary to bring matters to a point and I think that will be done." Hincks also said he was "satisfied that a most advantageous bargain can be made with eminent English contractors for the entire road that we want West of Quebec & from Halifax to the Maine frontier":

> The road from St Andrews to Windsor is under contract so that under any circumstances it is not unlikely we may in no vy long period get to Halifax. It is however to be hoped that we can do so on British territory getting Halifax as the terminus for the ocean steamers, and gettg the mails carried over our own roads.[97]

He went on to explain that "Chandler agrees with all that I have done", and that both "thought it good policy that Canada under the circumstances should take a bold stand." George Brown tried to link Hincks' action in breaking off negotiations for the Quebec and Halifax line with an agreement that an English firm should build what became the Grand Trunk. However, Hincks later argued that the offer to construct Canadian railways had been mentioned by Howe when he had visited Canada in June, 1851: Howe had read a letter, at a public dinner, from Messrs. Betts and Brassey, who offered to build railways in Canada; and then "An agent of the same contractors, the late Mr. C.D. Archibald, of London, arrived about the same time with similar proposals." The firm had just "completed extensive works in France, and having a large quantity of unemployed plant, would readily engage in constructing all the railroads required in Canada, and that English capital to any amount that might be needed would be supplied, provided the works were intrusted to contractors who were known to and in the confidence of the English capitalists."[98] Though this was not an official plan, Hincks knew that British contractors and financiers were interested in a British North American railroad.

There are conflicting accounts by Hincks about when the approach was made in London in early 1852: the official refusal was sent to Elgin on 20 May, and Hincks admitted to the 1854-5 Select Committee that "before the conclusion of the negotiations, [he had] written out for authority to agree to pay the preliminary expenses of a survey of a line [from Montreal to Hamilton] to Messrs. Peto & Co." There had been no agreement to build the Grand Trunk line; there was merely "a basis laid down for raising the required ways and means for constructing the line in case a tender for the construction, which could only be made after a survey, should be approved of."[99] Nevertheless, the meetings with Jackson had taken place in late April and early May. A written document was produced on May 20 and agreed to the next day- half the capital was to be raised by issuing government bonds through the Barings, and Glyn, Mills & Co.[100] Oddly enough, there were no other tenders called for, and Hincks eventually managed to overcome the opposition of C.S. Gzowski, L.H. Holton, A.T. Galt and D.L. Macpherson, who controlled both the Kingston and Montreal, and the St. Lawrence and Atlantic.[101] Hincks himself glossed over the opposition to the Grand Trunk:[102] the Great Western was mentioned, but MacNab at first supported the scheme. Hincks did not even mention John Young, who was involved with the St. Lawrence and Atlantic, particularly as MacNab mentioned that the two were "opposing each other daily-one of them will have to give way."[103]

The opponents of the Grand Trunk began to plan their activities even before the terms became known. A.T. Galt did not know what was happening on August 1. Hincks' friend Benjamin Holmes had just become vice-president of the company in July, and the line, which was to be incorporated into the Grand Trunk, was scheduled to be open to Sherbrooke on September 1.[104] In the meantime, a proclamation was issued on 4 August about the contract with the British firm to build the Grand Trunk. On August 7, the charters of the Kingston-Toronto and the Montreal-Kingston railways, both of which had been suspended, were "revived by royal proclamation."[105] W.M. Jackson, partner in the British contracting firm, managed to get control of the Kingston and Toronto charter, but failed with the other: at the meeting called to subscribe the stock, the entire £600,000 was divided up, with Galt, Holton and Macpherson taking almost £200,000 worth each, pledging that they would not sell or transfer their shares without mutual consent.[106]

When Parliament met on August 19, Hincks tried in the Railway Committee to get an agreement with the Galt faction. John Rose, a Montreal businessman and one of the nominal shareholders, wrote Galt on August 26 that some people were trying "to create the impression here [Montreal], that we wish to exact pecuniary compensation from the Govt or Jackson to relinquish the charter."[107] Rose wanted to make sure that Jackson could actually build the line cheaper than "Provincial capitalists", although he warned that "We must not have the odium of preventing the construction of the road, by a perhaps illfounded confidence in our own capacity to accomplish it...."[108]

The Galt faction took the attitude that they were being discriminated against because they were a provincial enterprise: "...so far from receiving that support and encouragement which we claim as a right from our own Government and Legislature, we have been met from the very outset with every difficulty that could embarass a young Company."[109] Thomas Wilson, a Montreal merchant related to John A. Macdonald by marriage, adopted the same line, asking Luther Holton if he (Wilson) could "in any way assist you in breaking up this fraudulent combination, between the Executive of Canada and certain parties here [London], against the interests of the Colony."[110] In order to strengthen the opposition to the Grand Trunk, John A. Macdonald even suggested that A.T. Galt and John Rose[111] should enter Parliament. He told Galt that "[T.L.] Terrill - the new man - can I suppose be bo[ugh]t off for a Couple of Hundreds- Let Rose & you buy him at that price. You can come in for Stanstead & Rose for Sherbrooke."[112] Macdonald was obviously seeking support for his anti-Grand Trunk stand in the House, and was not particular about the means of securing the desired result. Galt did win the election for Sherbrooke on 8 March 1853, but T.L. Terrill replaced his brother, who had died of cholera on 28 October, on November 23.[113]

Part of the need to get Galt and Rose in the House was because John Young resigned from the ministry in September 1852. Young took this step because he opposed the government's railway and reciprocity policies. His discontent arose because of the failure of the Quebec-Halifax railway. Young wrote to Isaac Buchanan on September 25, explaining his departure, saying that it had "been a kind of passion with me to see these Provinces continue British." He complained that the lack of a united front on the part of the three colonies in London- "& in this Hincks completely erred"- doomed the project. His own business affairs were also affected by the Grand Trunk, as he was involved in the Galt, Holton, Macpherson faction.[114] As far as the Quebec and Halifax was concerned, even when Jackson proposed a new plan more than a year later, Hincks thought that there were still enormous difficulties: "I believe that there is little real difference of opinion as to the national importance of this work, and it is unquestionable that neither the Grand Trunk, nor any other Railway Co will attempt its construction without a large subsidy."[115]

Though there were last minute efforts to block the railroad,[116] the Main Trunk Line bill was passed on November 6, just before the break.[117] Another bill had to be passed to build a bridge over the St. Lawrence at Montreal, and one to amalgamate with railways intersecting the main line. As the re-opening of parliament approached, strategies were sorted out. Holton wrote Galt from Ogdensburg on 13 February, the day before the opening, that he would "telegraph Hincks immediately on my arrival at Montreal, and if necessary will proceed at once to Quebec...": "Many members have not yet gone down, including Sir Allan & J A McDonald [sic]- If Hincks is wise he will push his Bill right through and I suspect he will adopt that course." Holton commented on the possibility of securing a contract for the Grand Trunk, and their position in the affair:

> Desirable as it unquestionably is to secure the means of constructing the whole line, dont let us illustrate the moral of the old fable and by grasping at too much jeopardize our snug and safe little Guelph contract by which if our securities were realized at or about par we could not fail to realize a vy nice sum.

He thought that the profitability of their scheme was assured so long as they were not too greedy. Holton stressed that as "contractors under the Grand Trunk Company, under Jackson substantially, we must have our position and rights vy clearly defined, and be protected at every possible point or we may get a hug from the Bear that will be any thing but agreeable."[118]

Holton also told Galt that their syndicate would put in a bid for the Port Hope and Peterborough Railroad, although the tender would be "so *safe* that our chance of getting it will be exceedingly slim." He confessed that he did "not like the huge proportions this aspiration [the Grand Trunk] will acquire if all these amalgamation schemes are carried out, and I hope it may not be necessary for me to take part in bringing them about in any other capacity than that of contractor. I mean of course by canvassing members and attempting to influence the Press." He added that "As Hincks goes into the thing so warmly it is possible that tacit acquiescence is all that will be required of me"[119] The difficulties raised by the St. Lawrence and Atlantic had apparently been smoothed out, and Holton was willing to go along with the amalgamation. However, everyone had to wait and see what would happen when the House met.

Those interested in pushing the railway ahead did not have long to wait. Holton wrote Galt from Montreal on 18 February that Joseph Cauchon and the North Shore Railway were opposed, and that there was talk of Hincks being defeated by a coalition of those opposed to the Grand Trunk. Holton thought that "Such an event would derange our plan sadly just now...." He did not think John A. Macdonald "wants to take office just now", and doubted "whether he will be a party to turning Hincks out if he can help it."[120] Holton's opinion of Macdonald's position is important: he thought that the latter's interests were better served, for the time being, if Hincks stayed in power. Hincks telegraphed Holton to "come at once" to help him deal with opposition. Holton then commented to Galt, "Is it not too bad that Jackson should *get out of us* money to pay for all the bribery and corruption he had to resort to to overpower us last autumn?" A problem cropped up from another quarter when Benjamin Holmes developed suspicions about "our designs", and, as Holton put it, he "decided it best to make a virtue of necessity and take him into our confidence", an act that "binds him to silence...[and avoids] all the mischief that a full disclosure of our plans could do-"[121] Thus, it seems that the formidable group of Hincks, Holmes, Holton, and Galt were reunited in their railroad interests for a time after early 1853. They were so deeply involved that it would be difficult for any of them to publicly criticize the others.

The Grand Trunk overcame its last hurdle (before construction started) in March 1853, although not without some handwringing in Canada. Holton was quite happy when he wrote Galt on April 10 from Montreal that Hincks' "advices are very favorable and that you like Jackson more and more as you know him better": "Manifestly his interest [Jackson's] now lies in doing right in his transactions with us, and an enlightened appreciation of his own interests is what we may all safely give him credit for."[122] To these men, there was no corruption - only an "enlightened appreciation" of their interests.[123] Thus, Holton, secure in the knowledge that his interests were assured, began to plan for the post-amalgamation period, suggesting to Galt that engineering expenditures should be lowered and useless hangers-on got rid of: "Another matter that will require much attention is Land for our Line & Stations It strikes me that if rightly managed we ought not only to get what we want for nothing but make a good deal of money besides." He hoped that D.L. Macpherson could give this aspect his "personal attention".[124] The money-making possibilities, it seemed, were numerous, and they (including Hincks) wanted to make the most of them. This is the stuff that scandals were made of.[125]

Hincks announced in the House on 18 April 1853 that "an arrangement for the construction of the whole line" had just been completed.[126] Galt sent Hincks a telegraph from London on 16 April, though it did not reach Quebec until April 28: it said "Amalgamation completed- Prospectus published- Complete success- Shares at large premium."[127] George Brown recalled, while giving evidence to the 1854-5 committee, that Hincks had astonished him by crossing over to his desk just as the Assembly met one day, and mentioned the fact that the shares were selling at a premium. Brown remarked "that this was a capital thing for the Portland Railway Stockholders; Mr. Hincks said it was a good thing for others as well." When Brown asked what Hincks meant, "He replied that Portland Stock could be purchased in the market at (I think he said) 65 or 35 per cent. below par...." Brown claimed to have told Hincks that "to take advantage of his information, and speculate on the ignorance of others, would be improper in the extreme, little short of robbery."[128] But Hincks said that he bought no stock until much later and did "not recollect any conversation in relation to speculation in Stock." However, he did admit to buying 184 £25 shares for not less than "22 1/2 per cent. more than the value of the Stock at the time of the receipt of the telegraph." He claimed that the purchases were made three weeks later,[129] and far above rather than below par. This acquisition may not have been an astute business move, but perhaps it covered up earlier speculations.

The Grand Trunk Company issued its prospectus in mid-April 1853. It was capitalized at £9,500,000 and there were numerous directors, both in London and Canada: George Glyn and Thomas Baring represented the London financiers; Hincks, Ross, Drummond, Morris, Taché, Caron, Chabot and Cameron were government directors; and Cartier, Galt, and Holton were among many others. The prospectus forecasted a dividend of 11 1/2% and operating expenses of 40% of cost, both of which proved to be exaggerated - the first too high and the second far too low.[130] But even if the Grand Trunk did not make any money in the long run, individuals certainly did in the short run. As early as 10 April, Holton wrote to Galt about the Surage farm, "a vy eligible speculation" near Quebec, which "had attracted Hincks attention also":

> I proposed that he should take an interest in the purchase if I could make it on fair terms. I have since bought it, on joint a/c with Hincks and Macpherson- and oddly enough now learn that you and Young were corresponding about it. So Young told Hincks the other

> day. We perhaps pay enough for it (£8000) but I am sure less would not have been taken as Surage asked that sum long before the development of prospects We look to conferring an enhanced value upon it and I am equally certain no other piece of Land of equal extent and so eligibly situated could be had for the money in this neighborhood.[131]

Hincks, it seems, was not about to let former differences stand in the way of profitable speculations, although there is no mention of how the purchase turned out. Yet if they could arrange to confer "an enhanced value upon it", they would not have lost money.

Though land speculation was undoubtedly interest politics at its most personal level, railroad development had wider ramifications and larger potential gain. The session ended on 14 June with a message from Lord Elgin about Parliament's accomplishments. One of the most important was the Grand Trunk, funded by "a large influx of British Capital", which allowed Canadians "to project and mature gigantic plans for developing the resources of this noble and improving country,--which, if carried to a successful issue, will hasten incalculably, its growth and progress...." He also warned of the "great danger of these advantages being wholly lost from a want of combined action, and from an undue prominence being given to local projects. Our earnest endeavours have been bestowed to avert such a calamity, and to concentrate the efforts of our Capitalists and men of enterprize, to those plans of local improvement from which the greatest amount of public advantage might be anticipated."[132] Elgin noted that the railway improvements were facilitated by the extension of the provincial guarantee to the Grand Trunk, and allowing municipalities and counties to borrow money to construct any public works. The members were sent off with the encouragement that their localities could play an important part in provincial development. However, this rhetorical statement sums up Hincks' goals: attract British capital, develop the province, and secure the greatest possible advantage to the people. These goals were sincere, and by appealing to the wide interests of the public through development, he also hoped to leave behind divisive questions and concentrate everyone's attention on working for the public good. In addition, he saw nothing wrong in benefiting personally.

To reinforce the notion that the country was involved in promoting its own interests, the politicians, English engineers, and contractors toured the province in August. A huge banquet was held in Montreal, and on August 22 Hincks wrote Merritt asking if he would "accompany Mr. Stephenson Mr Jackson & party in the westward trip."[133] Merritt was unable to join them, but the tour did take place. John Prince noted in his diary on 31 August that he "crossed over to Detroit & Called on Hincks, Hon'ble John Ross, Mr Jackson M.P., Mr. Stevenson M.P., the Civil Engineer & a great many more Rail-Road gentlemen at The National." Hincks and Ross then went to Prince's house at Sandwich and stayed there overnight.[134] Hincks' tour with the railwaymen followed tours by Cameron and Rolph, who held dinners for the ministry in the western part of the province, trumpeting their policies. This summer was height of the Hincks-Morin administration: it would begin to disintegrate quickly enough when the scandals began to add up and when opponents tried to turn the ministry's attention to other than economic matters.

Hincks' peace was disturbed in the fall of 1853 and through the ensuing winter because of a problem that arose between the Great Western and the Grand Trunk over the Sarnia branch. In late September, the Great Western directors published a "violent attack" on the Grand Trunk, "without any communication in the way of complaint & in violation of a solemn agreement signed by yourself providg for the arbitration of Mr R Stephenson in the event of a disagreement."[135] The Great Western criticized the government, legislature, and Grand Trunk for breaking faith and deceiving them in going against the agreement of 3 May 1853. On 3

October, Hincks wrote a long letter to Messrs. Glyn and Baring, explaining the situation surrounding the Sarnia branch. This letter was sent to the Leader on October 13, and was copied in other papers thereafter.[136] The Great Western action had already raised the ire of Reform papers, particularly in the western section. They called for some competition and the end of the dominance of "the Great Western Monopoly Company".[137]

Hincks argued that the Great Western was unlikely to build a Sarnia branch for some time because its American directors were interested in the Central Michigan Railway, which ended at Detroit opposite Windsor, the Great Western terminus. They obviously did not want to help the rival Northern Michigan, which intended to run to Port Huron opposite Sarnia. Hincks threatened that unless the Great Western agreed to cooperate with the Grand Trunk, he had "little doubt that the latter will apply to Parliament for permission to extend to the Southward, and to connect itself at the Detroit River with both the Michigan lines." He left the decision to "the Great Western Company, which has attempted to obtain a monopoly for the especial benefit of one or more foreign Corporations, the object being to divert traffic from the Canadian route."[138] In response to the publication of this letter, and pushed behind the scenes by MacNab,[139] R.W. Harris opened up a correspondence with Hincks in late November. Hincks concurred with Harris' "remarks as to the injury done to the interests both of the Grand Trunk and Great Western Railway Companies...",[140] and put the blame squarely on the Great Western. Though he recognized that Harris sought some resolution, it would be difficult because of the statements of Isaac Buchanan and G.S. Tiffany.[141]

Hincks was quite worried about the effect of the dispute and in response to another letter from Harris in early January, Hincks said that he was "very anxious to act in cooperation not only with your board but with the London directors of the Grand Trunk Co and my present impression is that their view is to leave all points of difference to the umpire selected in the original agreement in London."[142] Hincks asked Harris for copies of the Great Western's agreements with American companies, and since the difficulties had caused "a suspension of official intercourse between the two companies", he suggested that the documents should at least be sent to Stephenson in London: "...I should like much if you could consistently send copies for the private information of our President & Directors."[143] While Hincks was preparing for a late February departure to England, he wrote Harris that he would see Peter Buchanan and others "and it will not be my fault if a better understanding between the two companies be not arrived at."[144]

The problem with the Great Western was compounded by deep rivalries within the company, explained well by Peter Baskerville and Donald Beer: MacNab was losing ground and he was almost ejected from the directorship of the Great Western and the Hamilton and Toronto in 1853.[145] MacNab opposed the plan of Harris, C.J. Brydges (Managing Director) and Isaac Buchanan to acquire the Erie and Ontario railroad (including docks and warehouses in Niagara) from Samuel Zimmerman; they also differed on the question of building the Sarnia line to counteract the Grand Trunk and other proposed railroads. MacNab thought it would be far cheaper to cooperate with the Grand Trunk, and the English board backed him for a time- they also objected to paying Zimmerman, already contractor for the Great Western on very generous terms,[146] £179,000 for a seventeen-mile railroad and a bankrupt harbour company he had bought in October 1853 for £9,000.[147] The Hamilton board did recommend the purchase in March 1854, and considerable opposition arose about the likely removal of some of the Great Western workshops to Niagara.

Hincks' role in the whole affair was complicated. The *Leader*, his organ, supported MacNab in December 1853 on the question of paying him £4,000 in back salary.[148] The paper also copied a piece from the Montreal Herald, which commented that "among the most sturdy supporters of Mr. Hinck's scheme [the Grand Trunk] in every important particular was Sir Allan MacNab."[149] But Hincks was also supporting Zimmerman, his friend, and Beer suggested that "the flurry of notices of legislation to incorporate railway companies south of the Great Western was merely a device employed to scare Brydges into co-operation with the Grand Trunk, the Erie and Ontario purchase, or both." Even if MacNab did think that this plot existed, there is no evidence to connect it to Hincks, and it certainly did not convince the Hamilton board, which "voted overwhelmingly [8-3] to recommend purchase to stockholders" as a means of protecting the Great Western.[150]

In April, A.T. Galt put forward a scheme to end the problem, and Casimir Gzowski said it was "worthy of a first class diplomatist though coming from a barrowman." Holton, too, encouraged Galt, saying he was "very glad that Hincks seized your idea so readily- and that he was disposed to estimate our proposed sacrifices so liberally."[151] At the same time, Hincks was trying to ease the tension between the two companies. He wrote to Harris as soon as he arrived in New York from England on May 22, saying that "I do hope there is a better feeling between our two Companies, and that we will get on better hereafter." He promised to "do all in my power to smoothe matters" and expressed his sorrow that the Great Western "is not without a little dissension in its ranks...." Finally, he said that he had heard "that there is some idea of oustg Sir Allan but I really hope this will not be done. It will lead to a good deal of excitement which had much better be avoided...I do hope you will try to have unanimity amg yourselves & I think Zimmerman quite ready to do all that is fair."[152] Thus, in spite of the suspicions of some that Hincks was playing "fast and loose" with everyone, it seems clear that he did want the Great Western and Grand Trunk reconciled, and he did not want MacNab off the board. As it turned out, MacNab was ejected (with a £5000 payment to keep him quiet) on 5 June, and, after a brief public outcry, Isaac Buchanan reported to his brother that MacNab "has no moral standing" and the only regret people had about his dismissal was out of pity.[153]

Friendships made through mutual support of economic development had political overtones too. Perhaps the best example is the affinity between Hincks and MacNab that made possible the coalition of 1854. There is considerable evidence that Hincks always had friendly feelings for MacNab, even though they were political opponents. In June 1854, Hincks found himself in a potentially embarrassing position because of MacNab, and the problem was not political. He discovered that £820 had been placed in his account at Glyn's by Peter Buchanan, according to a promise made by the latter just as Hincks was about to board a train leaving London. Hincks' letter is crucial to an understanding of his delicate position in 1854, and shows how sensitive he was over what might have seemed a trivial matter a few years before. He began by saying that "You are well aware of the attacks made on me with regard to my private transactions and how necessary it is for me to act with the greatest caution, even with secrecy in transactions of the most legitimate and honourable kind." He was worried that MacNab, who, when the "Hamilton & Toronto scheme was on foot...proposed to me to take an interest in it wh I declined on the ground that it would excite remark. He then said somethg to the effect- Well no matter we must get you into it". MacNab apparently thought nothing of helping out a kindred spirit who was also a political opponent, or of bribing a useful politician.

Hincks wrote that he had thought nothing more about it until six months before when MacNab "told me that I had an interest in the scheme and asked me how I would like it managed." Hincks said he "would have nothing personally to do with it", but he would "promote the interest" of his son-in-law, Major Ready. Still, he was concerned about appearances:

> Now although I have no personal interest in the matter as I shall acct with Major Ready for the sum placed to my credit yet I am anxious to be fully satisfied that the transaction with the details of which I am in utter ignorance was one quite unobjectionable- I mean by this that I trust that none of the parties concerned were under any impression that I had rendered political service of any kind or had agreed to render any to the company or that it was anythg but an act of personal friendship manifested towards me in getting an interest for my friend in a good speculation. You will I am sure excuse me for thus writg when you reflect that I know nothg of the representations that may have been made of this transaction & that I am peculiarly situated.[154]

It seems that Hincks was becoming aware that accepting money for political services was not popular, although he did distinguish between political and personal services. In a postscript, Hincks added that he had "not spoken on the subject to Sir Allan MacNab for many months."

If Hincks had thought that MacNab might make public the transaction, there was little need to worry. MacNab understood that a private deal was sacred, and that in any case, there was little point in implicating himself in such an arrangement with the premier while so many other charges needed investigation. When MacNab did get the opportunity to say something, he limited himself to inquiring about the Point Levi property and the government directors of the Grand Trunk.[155] And Baskerville argued that MacNab was so tied to the Hamilton and Toronto contract that if any details came out, he would have been ruined. Later, while premier himself, he asked Peter Buchanan for £5000 "for services", and eventually got nearly £6000 from Isaac, disguised as a land purchase of half an acre.[156]

A few historians have discussed the significance of "railway morality". Peter Baskerville "argues that not just businessmen and politicians, but also lawyers, journalists, bankers, even the judiciary and the clergy shared in and condoned 'railway morality.'"[157] Johnson cited Samuel Zimmerman as "a man of the times, and the times were not charaterized by a strict moral code."[158] And Romney explained Chief Justice J.B. Robinson's view of the £10,000 Job, or the Bowes case: with regard to municipal councillors like Bowes, "the rule [breach of trust] must be applied more leniently than in other cases, since municipal councils, like legislatures, were naturally and desirably filled with men who had a strong personal interest in the economic advancement of the polity they served, and if such men were barred from promoting and voting on any measure in which they had a personal interest, nothing would get done." To Romney, Robinson's judgment seemed to be an attempt, whether conscious or not, "to vindicate the [Family Compact] system" where the authority of the executive was used for personal gain.[159]

There is no doubt that the period of the 1850s was transitionary, or that it was one in which interest politics dominated. The old clique - the Family Compact - had certainly been criticized for using the political and economic system to sustain their narrow group. Responsible government was supposed to have ended abuses by making the executive responsible to elected politicians. However, Hincks used interest politics to promote party and economic development, and men like George Brown and W.L. Mackenzie witnessed the same tendency for abuse in the new system. They voiced a significant opposition to corrupt practices. At the same time, Hincks could stress that his development policies were benefiting the province: railways were improving the transportation system so that it could handle, year round, domestic products and also attract American trade through the Laurentian system. Railways also brought together the promoters and politicians of the day, and if Hincks' policies did not make Reformers out of them, most could certainly embrace a moderate, developmentally-oriented Liberal-Conservatism. Some promoters did lose sight of the larger goal in pursuing their own interests, but Hincks was not too concerned about "railway morality"; rather, he sought to reconcile differences and keep the development engine on track. He played a crucial role in the formation of railway policy, getting the government involved through its guarantee, establishing the Grand Trunk as a national venture, and harnessing British and local capital to build it. He then acted as conciliator, working out an arrangement with the St. Lawrence and Atlantic opponents of the Grand Trunk. He also kept on good terms with the two factions within the Great Western, MacNab and the Buchanan brothers.

Hincks also saw the political benefit derived from railways, believing that people were more inclined to support a politician who was doing something constructive for them. On a local level, Hincks' railway policies brought support from the voters of Oxford county, and partially explain the conversion of J.G. Vansittart to the Hincksites in 1853.[160] The railways also became an extension of the government at election time, as J.M. Ferres wrote to Brown about his election in 1854:

> Missisquoi is very doubtful- the grand trunk give every assistance to my opponents and if I carry it will only be by the skin of my teeth. The G.T.R. brag that they will expend any amount to ensure my defeat- If they beat me, they will have to pay well for it for I will relax in no effort to ensure success-[161]

As it turned out, Ferres was returned, but when the railroad refined its practices, it became a formidable influence in future years. In the Toronto election, Romney tried to explain ex-mayor Bowes' success after the £10,000 scandal by arguing that "The lower classes often admire white-collar crime, especially when it is committed against the rich...[and] They would have made money that way themselves if they could...."[162] There is no way of telling how many votes Hincks or Bowes or MacNab received because of their railway activities, but such support certainly existed. Thus, the drawing power of railroads, the "juggernaut" as Romney called it, did not seem to be counteracted by the perceived abuses of politicians. Brown and others may have condemned such activities,[163] and the Globe may have prospered, but so too did railway politicians. Bruce Walton, writing about the coalition of 1854, referred to it this way: "...railway-minded Conservatives joined with railway-minded Hincksites in a determination to press on with the railway programme and to dispose of the divisive questions of seigneurial tenure and the Clergy Reserves."[164] Interest politics were thus crucial for economic and political developments during this period.

However, not all of Hincks' politics were railroads. They were merely a means- an important one no doubt- of promoting provincial development. Indeed, by late 1853, Hincks thought that Canada had reached the saturation point of railway building, and that any more activity would be counter-productive. In a letter to Colonel Bruce, meant for Lord Elgin and the British policy makers, Hincks referred to the proposed Quebec and Halifax Railway:

> The Imperial Govt I hope understand as I am convinced that H. E. [Elgin] does that our present Railway system is as much as the people at large want, and that we should have trouble enough to carry a subsidy for the extension to Halifax.[165]

He had no doubt that the subsidy could be managed but he recognized that there would be considerable opposition in Upper Canada from those who did not appreciate the importance of the all-British link to the Atlantic: "That line is only favoured by those who take a very large and comprehensive view of its importance to British interests and British connexion, but in a commercial point of view it is not popular." Hincks thus realized that the commercial benefits would be realized once the Grand Trunk was finished, with its links to Portland and Sarnia; and that the political costs of continued railway building would soon outweigh the advantages. While he had been responsible for taking Canada to this point, perhaps he was fortunate that he had left the country by the time the railroad era began to sour.

[1] Debates, 1841, 287.

[2] Donald Beer, Sir Allan Napier MacNab (Hamilton, 1984), 275-6.

[3] T.C. Keefer, Philosophy of Railroads and Other Essays (Toronto, 1972), 54, Appendix M.

[4] Ibid., 32, 37.

[5] Keefer, Philosophy of Railroads, H.V. Nelles' introduction, xlvi.

[6] See J.M.S. Careless, Brown of the Globe: The Voice of Upper Canada 1818-1859 (Toronto, 1972), 162-3. By the 1850s, Hincks had a reputation for corruption- earned apparently in a very short time.

[7] AO, A.N. Buell Papers, O'Hare to Buell, 7 March 1853, 2-4.

[8] G.R. Stevens, History of the Canadian National Railways (New York, 1973), 9-10.

[9] Jacques Monet, The Last Cannon Shot (Toronto, 1969), 233.

[10] Monet, Last Cannon Shot, 128.

[11] A.G. Doughty, ed., The Elgin-Grey Papers (Ottawa, 1937), 1: 251-4, 254-5, 257-9.

[12] Ibid., 278, Grey to Elgin, 12 January 1849.

[13] Debates, 1849, 1: 202.

[14] Ibid., 3: 1825.

[15] NAC, Merritt Papers, 3837-8, Merritt to wife, 11 February 1849.

[16] Debates, 1849, 1: 696-7.

[17] Ibid., 111, 698, 738. They were presented by Dr. T. Bouthillier, Benjamin Holmes and Samuel Brooks respectively.

[18] Ibid., 3: 1826.

[19] NAC, Canada, State Books, vol. J, 10 April 1849, 35-40.

[20] Other directors were William Molson, Robert MacKay, John Torrance, William Dow, Charles Wilson (mayor of Montreal), Alfred LaRoque, as well as T.A. Stayner, the Deputy Postmaster General.

[21] Debates, 1849, 3: 1824-5.

[22] Ibid., 1858-9.

[23] Ibid., 1828-33.

[24] The directors were H.J. Boulton and J.C. Morrison of the Toronto, Simcoe

and Lake Huron Railroad; Sir Allan MacNab of the Great Western Railroad; A.N. Morin, Benjamin Holmes and George Cartier of the St. Lawrence and Atlantic Railroad and W.H. Merritt of the Niagara and Detroit Rivers Railroad. Future directors included A.T. Galt of the St. Lawrence and Atlantic; John Egan of the Bytown and Prescott Railway; Jean Chabot, F.X. Lemieux and P.J.O. Chauveau of the Quebec and Melbourne Railway; R.N. Watts of the Quebec and Richmond Railway; Hincks of the Woodstock and Lake Erie Railway and Harbour Company; and Hincks, Taché, Morris, Cameron, Caron, and Holmes of the Grand Trunk. Petitions were presented by David Armstrong, for the St. Lawrence and Industry Railroad in 1847; Robert Baldwin, Henry Sherwood, J.C. Morrison and John Wetenhall, for the Toronto and Lake Huron Railroad in 1847 and 1849; S. Brooks and T. Bouthillier, for the St. Lawrence and Atlantic in 1849; Read Burritt, for the Montreal and Prescott, in 1849; William Cayley, for the Toronto and Goderich Railroad, in 1847; P.J.O. Chauveau, for the St. Andrews and Quebec Railroad, in 1849; and Duncan McFarland, David Thompson, William Notman and Malcolm Cameron, for the Niagara and Detroit Rivers Railroad, in 1849. Hincks (*Debates*, 1849, 414.), F.X. Méthot (486), Cameron (533), Wetenhall (611), Wilson (646), MacNab (738), and Meyers (776) presented petitions for a main line of railroad from Quebec to the western end of the Province.

[25] They were Sherwood, Brooks, Cayley, MacNab and Meyers.

[26] *Debates*, 1849, 3: 2177, 2411.

[27] Stevens, *Canadian National Railways: Sixty years of trial and error* (Toronto, 1960), 1: 62.

[28] *Pilot*, 7 November 1850, 2, letter of 4 November.

[29] MTCL, *Baldwin Papers*, A35: #17, H.J. Boulton to Baldwin, 17 May 1849, 4.

[30] *Debates*, 1850, 1: 508.

[31] After MacNab said that other railroad companies could get the same powers if they asked for them (*Debates*, 2: 990), the revised bill was passed on July 5 (1003) and received Royal Assent on July 24 (1351).

[32] *Ibid.*, 479.

[33] *Ibid.*, 462 (McFarland); 534 (Hincks). It was styled No. 2 because Duncan McFarland had introduced a different company with the same name three days before.

[34] Stevens, *Canadian National Railways*, 1: 118-9.

[35] *Debates*, 1850, 1: 534-5.

[36] *Pilot*, 3 August 1850, 3, letter dated 31 July.

[37] *Debates*, 1850, 2: 1409-10.

[38] *Ibid.* See also R. Alan Douglas, ed., *John Prince* (Toronto, 1982), 95-6. Bertie is now Fort Erie.

[39] Debates, 1850, 2: 1411.

[40] Statutes of Canada , 10 & 11 Vict., cap. 117, 1967-77.

[41] NAC, Buchanan Papers, 31: 25779, Hincks to Farmer, 3 June 1852.

[42] Debates, 1852-3, 1: 39, 218.

[43] MTCL, Shenston Papers, Hincks to Shenston, 6 November 1852.

[44] Ibid., 4 December 1852.

[45] Ibid., 15 December 1852.

[46] Statutes of Canada, 16 Vict. 1853, cap. 239, 1148-50.

[47] Ibid., 1148.

[48] Benedict had been dismissed by the Great Western as Chief Engineer for the Hamilton and Toronto in September 1852 for exceeding the estimates by £340,000 (Beer, MacNab, 282) as well as for a disagreement with management about opening the line before it was safe to do so (Stevens, Canadian National Railways, 1: 105). Hincks commented on the dismissal in a letter to Peter Buchanan on 4 December, and seemed to be trying to settle the row between R.W. Harris, President of the Great Western, and Benedict: "If he is guilty of any fraud all well but he is anxious for enquiry."(NAC, Buchanan Papers, 25783, Hincks to P. Buchanan, 4 December 1852). Benedict's reputation must not have been damaged too much, as he was later appointed an examiner for the Grand Trunk (Keefer, Philosophy of Railroads, 107).

[49] NAC, Buchanan Papers, 31: 25789-90, Hincks to Farmer, 13 May 1853.

[50] J.K. Johnson, "'One Bold Operator': Samuel Zimmerman, Niagara Entrepreneur, 1843-1857", Ontario History , LXXIV, 1, (March, 1982), 26, 36.

[51] Gustavus Myers, A History of Canadian Wealth (Toronto, 1975), 197-8.

[52] Ibid., 198.

[53] NAC, Buchanan Papers, 25794, Hincks to Farmer, 6 October 1853.

[54] Ibid., 25799-80.

[55] Ibid., 25797.

[56] Ibid., 67149.

[57] MTCL, Shenston Papers, Bennett to Shenston, 1 November 1852.

[58] Statutes of Canada, 16 Vict. 1852, cap. 45, 159.

[59] MTCL, Shenston Papers, Hincks to Shenston, 6 November 1852.

[60] Ibid., 4 December 1852.

[61] MTCL, *Shenston Papers*, Hincks to Shenston, 12 December 1848.

[62] Hincks, *Reminiscences*, 196.

[63] NAC, *Hincks Papers*, Hincks to MacNab, 8 June 1849. Hincks followed this with two phrases, both crossed out: "in one of which you take a very deep interest" and "In one of those lines you take a deep interest and you are aware that my support has never been with held from you"

[64] NAC, *Barings Papers* 196-7, R.S. Atcheson to Barings, 11 July 1849.

[65] NAC, *Buchanan Papers*, 46: 37202-4, MacNab to P. Buchanan, 6 August 1849; 37206-8, 18 August.

[66] *Ibid.*, 25776-7, R.W. Harris to Hincks, 10 August 1849. Though there is no evidence to show that Hincks accepted this offer, or was successful if he did, three years later, Hincks wrote Peter Buchanan that he had received the "a/c sales of the Stock" and noted "the balance due me as £556. 8. 3...." He added "that the Govmt will cooperate with your co vy cordially. If you want more debentures you will get them."[67]

[67] *Ibid.*, Hincks to Buchanan, 4 December 1852, 25785-6.

[68] *Debates*, 1850, 2: 1476-7.

[69] As the reporters were boycotting the debates, no record of the discussions exist, although it did pass on 6 August. *Ibid.*, 1528-9.

[70] *Pilot*, 12 October 1850, 3; 19 October 1850, 2, letter of 16 October.

[71] *Ibid.*, 26 November 1850, 2, letter of 19 November.

[72] *Ibid.*

[73] See Peter Baskerville, "The Boardroom and Beyond", 87-9, on MacNab and the gauge problem.

[74] NAC, *Buchanan Papers*, 46: 37230-1, MacNab to P. Buchanan, 15 October 1852.

[75] *Debates*, 1852-3, 2: 1315, 30 October 1852.

[76] *Ibid.*, 1408, 1410.

[77] NAC, *Buchanan Papers*, 25783-4, Hincks to P. Buchanan, 4 December 1852.

[78] *Ibid.*, 48: 39166-8, Morrison to I. Buchanan, 13 December 1852.

[79] *Ibid.*, 39169, Buchanan to Morrison, 14 December 1852.

[80] *Ibid.*, 39172, 23 December 1852. Buchanan wrote that Wythes was "said to be worth a Million Sterling being one of the chief names in the English Railway World...."

[81] *Ibid.*, 46: 37245, MacNab to I. Buchanan, 14 December 1852.

[82] *Ibid.*, 39171, Buchanan to Morrison, 23 December 1852.

[83] *Ibid.*, 39174-5, Morrison to Buchanan, 23 December 1852; 39180, 13 January 1853.

[84] *Ibid.*, 39185, Buchanan to Morrison, 14 January 1853.

[85] *Ibid.*, 25786-7, Hincks to Buchanan, 28 January 1853.

[86] *Ibid.*, 39194, Morrison to Buchanan, 26 March 1853.

[87] *Ibid.*, 37282-92, MacNab to I. Buchanan, 25 April 1853.

[88] *Ibid.*, 39208, Hincks to Morrison, 24 September 1853, telegraph: "I quite approve of your Hamilton telegraph, but have you seen the warlike report from Isaac."

[89] *Debates*, 1851, 2: 1278-9.

[90] *Ibid.*, 1366-85, 1539, 1615.

[91] Stevens, *History of C.N.R.*, 75.

[92] Stevens, *History of the C.N.R.*, 37; Hincks, *Reminiscences*, 244.

[93] NAC, *Elgin Papers*, Hincks to Bruce, 7 May 1852, 6.

[94] NAC, *LaFontaine Papers*, #737, E.P. Taché to LaFontaine, 27 April 1852.

[95] Hincks, *Reminiscences*, 245; Longley, *Hincks*, 212-3; and Stevens, *Canadian National Railways*, 1: 74.

[96] Longley, *Hincks*, 218-9.

[97] NAC, *Elgin Papers*, Hincks to Bruce, 7 May 1852, 1-3.

[98] Hincks, *Reminiscences*, 439.

[99] *Journals*, Appendix A.A.A.A., Report and Proceedings of the Select Committee on Charges against the Late Administration (Quebec, 1855), 166.

[100] J.M. and Edward Trout, *The Railways of Canada* (Toronto, 1974), 68.

[101] Stevens, *Canadian National Railways*, 1: 76-81.

[102] Hincks, *Reminscences*, 441.

[103] NAC, *Buchanan Papers*, 37226, MacNab to P. Buchanan, 30 August 1852.

[104] NAC, *Galt Papers*, Galt to Amy Torrance, 2313, 25 July 1852; 2316, 1 August 1852.

[105] Longley, *Hincks*, 223.

[106] Trout and Trout, *Railways of Canada*, 68-9.

[107] NAC, Galt Papers, 2322, Rose to Galt, 26 August 1852.

[108] Ibid., 2322-3.

[109] Journals, Appendix A.A.A.A., 1855 Report, 118, letter of 11 October 1852 to the Railway Committee.

[110] NAC, Galt Papers, 2328, Wilson to Holton, 5 November 1852.

[111] Rose ended one letter by remarking that he was "delighted to hear J A McDonald's co-operation", as "He is a fellow of remarkably sound judgment & avoids factiousness...." Ibid., 2325, Rose to Galt, 26 August 1852.

[112] J.K. Johnson, ed., Letters of Sir John A. Macdonald, 1836-57 (Ottawa, 1968), 187, Macdonald to Galt, 11 November 1852.

[113] Ibid., note 4.

[114] DCB, 10: 725.

[115] NAC, Elgin Papers, Hincks to Bruce, 23 September 1853, 1.

[116] Stevens, Canadian National Railways, 1: 81; Trout and Trout, Railways of Canada, 69.

[117] Debates, 1852-3, 2: 1466-8.

[118] NAC, Galt Papers, 2332-3, Holton to Galt, 13 February 1853.

[119] Ibid.,2236-7.

[120] Ibid., 2339-41, 18 February 1853.

[121] Ibid., 2342-3.

[122] NAC, Galt Papers, 2354, Holton to Galt, 10 April 1853.

[123] See Chapter 7: Patronage - Jobs and Honest Graft.

[124] NAC, Galt Papers, 2355, Holton to Galt, 10 April 1853.

[125] See Chapter 8: Hincks and the Scandals.

[126] Debates, 1852-3, 4: 2722.

[127] Journals, Appendix A.A.A.A., 1855 Report, 168.

[128] Ibid., 125.

[129] Ibid., 168-9. He bought 100 shares from Mr. Symes and Mr. Desbarats, and 84 from Luther Holton. This investment amounted to £4600 at par, or over £5600 if Hincks can be believed. Trout noted that the stock only "went up as high as two per cent. premium", then quickly fell below par. There is a considerable discrepancy.

[130] Trout and Trout, 73. Operating expenses were between 70% and 80%.

[131] NAC, Galt Papers, 2356, Holton to Galt, 10 April 1853.

[132] Debates, 1852-3, 4: 3486.

[133] AO, Merritt Papers, 4316, Hincks to Merritt, 22 August 1853.

[134] Douglas, ed., Prince, 128.

[135] NAC, Buchanan Papers, 25881, Hincks to R.W. Harris, 28 November 1853.

[136] St. Thomas Weekly Dispatch, 27 October 1853, 1.

[137] Ibid., 13 October 1853, 2.

[138] Ibid., 27 October 1853, 1.

[139] Beer, MacNab, 311, MacNab to P. Buchanan, 27 November 1853: "I have got a correspondence opened between Mr Harris and Mr Hincks, which if properly managed - will I trust close all difficulties with the G T ...."

[140] NAC, Buchanan Papers, 25881, Hincks to R.W. Harris, 28 November 1853.

[141] Ibid., 25882-4.

[142] Ibid., 25810-1, Hincks to R.W. Harris, 17 January 1854.

[143] Ibid., 25814-5, Hincks to Harris, 16 February 1854.

[144] Ibid., 25817-8, Hincks to Harris, 19 February 1854.

[145] P. Baskerville, "The Boardroom and Beyond", 98.

[146] Ibid., 100. Baskerville notes that Zimmerman had just settled with the British contractor George Wythes, who was to build the Hamilton and Toronto, and was given between ten and twelve thousand pounds for "Parliamentary services".

[147] Beer, MacNab, 318.

[148] Ibid., 313-5.

[149] Baskerville, "The Boardroom and Beyond", 105.

[150] Beer, MacNab, 317-8.

[151] NAC, Galt Papers, Gzowski to Galt, 15 April 1854, 2363-5; Holton to Galt, 13 April 1854, 2360.

[152] NAC, Buchanan Papers, 25820-2, Hincks to Harris, 22 May 1854.

[153] Beer, MacNab, 302; Baskerville, "The Boardroom and Beyond", 106-8. This is an example of the perception of corruption, which will be more fully discussed in Chapter 8.

[154] NAC, Buchanan Papers, 25806-8, Hincks to P. Buchanan, 7 June 1854.

[155] Debates, 1854-5, 1: 78.

[156] Baskerville, "The Boardroom and Beyond", 112-7.

[157] J.K. Johnson, "One Bold Operator", 39.

[158] Ibid., 41.

[159] Romney, "£10,000 Job", 183.

[160] See Chapter 6: Hincks and the Power of Interest.

[161] NAC, Brown Papers, 212, J.M. Ferres to George Brown, 1 July 1854.

[162] Ibid., 185.

[163] See Chapter 8: Hincks and the Scandals.

[164] Bruce Walton, "Worth Having at Almost Any Cost", Ph.D., Carleton, 1984, 30. See also Chapter 9: Setbacks and Victory in Defeat.

[165] NAC, Newcastle Papers, Hincks to Bruce, 10 December 1853, 14-15.

Chapter V

THE VICTORY AND THE WAIT, 1848-51

We have already seen that Hincks' activities were a crucial element in the formation of the United Reform party before the Union, and that even in the early years, his financial background and economic sense were an important part in the first LaFontaine-Baldwin ministry. He was attempting to establish a party based on the politics of interest, one that appealed to businessmen who wanted to promote provincial development, and one that was not so concerned with the divisive details of ordinary, individualistic politics. Neither Hincks nor the Reformers had much chance to develop policy in the mid-1840s. Hincks did have considerable experience in the cabinet from June 1842 to November 1843. After he moved to Montreal, he was vigilant in protecting the Reform alliance from attempts by the Draper and Sherwood ministries to split the French Canadians. He established the Pilot in 1844, building it into the English language Reform voice in Montreal. But just as Reformers were beginning to involve themselves in business ventures, working more and more with Tories, the Sherwood administration called an election in the fall of 1847 with the writs to be returned by 24 January 1848. Hincks was in England and Ireland for the first time in fifteen years visiting family, so he did not have much to do with election strategy. But the effort of the Reform leaders to get Hincks elected is a reflection of the regard they held for his abilities and their need to have him in the Assembly, or a ministry.

This situation was quite different from the one in 1842, when the Reform leadership did not have much choice about Hincks as a cabinet colleague: he had been brought into the government by Sir Charles Bagot a few months before LaFontaine and Baldwin joined the ministry in September. However, despite Hincks' desertion of the Reform cause in 1841-42, he was a valuable minister, an able department head, and he worked well both with the governor and his French and English colleagues. This chapter will focus on the politics of interest while Hincks was a member of the second LaFontaine-Baldwin ministry. His conciliatory skills, his ability to weed out ministers who had lost their usefulness or whose policies clashed with the majority, all made him indispensable to Baldwin and LaFontaine. His time in the cabinet also provided the training ground before Hincks was asked to form his own ministry. One point that must be made is that this period, characterized as an era in which factions dominated politics, necessitated considerable management skills. Though the Reform party dominated, it contained several individuals and groups who usually acted together, but who increasingly drifted apart. W.L. Mackenzie and George Brown considered themselves independent Reformers; the Clear Grits and Rouges formed out of the advanced wing of the party in each section; and there was a conservative faction led by Baldwin and LaFontaine. Hincks was in the middle, trying to keep the opposing factions placated by focusing on development and the good of the province. However, it was difficult to please everyone.

In the period leading up to the election, Baldwin was responsible for Canada West. Hincks' removal to Montreal took him away from the day-to-day management of the western party, though he had some input. Preparations began in the fall of 1846. The Reformers had been trying to build on their strength: they had already flirted with Sir Allan MacNab on the question of the Adjutant-Generalship of the militia, and if their principles appealed to other Tories, so much the better. There was a difference in the recruiting techniques of Baldwin and Hincks. Baldwin explained to John Rolph that it would be in the interest of the party to secure the election of H.J. Boulton, former Compact Attorney General and a recent convert to the "full length and breadth and heighth and depth" of "this Great Principle" of responsible government. The fact that he had "been previously our opponent was a decided advantage to the cause. It furnished a most powerful piece of evidence of the truth and justice of the principle to see a man of his talents & standing and who had been so intimately connected with its bitterest enemies an avowed convert to our opinions...."[1] Baldwin concluded by arguing that someone who formerly acted against Reformers could act with them. For Baldwin, though, the "cause" was still the most important factor. Hincks had different criteria, stressing business interests as well as responsible government, although he agreed that the Reformers had to be willing to welcome converts.

Baldwin was also concerned about Hincks, who did not think much of his chance of being returned in Oxford. As early as November 1846, there was correspondence between Baldwin, Hincks, William Notman (Dundas lawyer and Middlesex MP) and George Brown on what should be done about Oxford. Brown was of the opinion "that the Zorra people would zealously support one of their church" and a Reformer, and Notman thought he and Hincks might exchange constituencies. Hincks asked Baldwin whether "such a scheme [would be] practicable & desirable I of course am willing to do my part."[2] He added that to preserve "the entente cordiale...I ought I think to be returned for an U C constituency", and he did not think there would be any difficulty with a switch because their supporters were "disciplined pretty fully in both counties...." Nothing was done over the winter, but when Baldwin was in Simcoe in March 1847, he asked "whether our friends in Norfolk could secure a seat for Mr Hincks, a matter which I felt to be of the very first consequence both on account of his having been a Member of the late Cabinet and of his acknowledged talents particularly in the department of Finance." Baldwin's question shows that he thought Hincks' return for some Upper Canadian seat was very important. However, he was told that if Hincks "could not succeed for Oxford there would not be much hope of his success in Norfolk."[3] Baldwin asked the same of J.S. Macdonald in Cornwall and received the same answer.[4] Before Hincks left Canada in 1847, he sent his qualification to Oxford friends. In his absence, Mrs. Hincks asked LaFontaine if another Upper or Lower Canada constituency would elect him, but was reassured that Oxford was safe.[5]

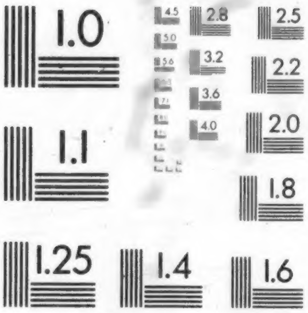
At Baldwin's request, George Brown, editor of the Toronto Globe and a western edition published at London, grudgingly took matters in hand. Brown, eleven years Hincks' junior, had left Scotland in 1837 for New York, where he worked on his father's newspaper. The Browns came to Toronto in 1843, and fairly soon aligned their Presbyterian weekly, the Banner, on the Reform side. This support continued when George set up the Globe in March 1844, by which time he had already won Hincks' praise for defending the late ministry's resignation. However, after Hincks established the Pilot in Montreal, he complained that there was not enough local support and sought help in the form of subscriptions from the Upper Canadian section of the party. Brown objected to Hincks' underpricing the Pilot, and his asking for donations from Canada West, claiming that his business was being hurt. A rivalry developed between the two and their relationship was strained: indeed, Brown was not even on speaking terms with Hincks in 1847.[6] This situation lasted into the election, though Brown, helped by William Notman, went up to Oxford county and worked out a plan to secure Hincks' return whether he was able to make it or not. Since Hincks had left the necessary papers, his candidacy could have gone ahead, although there was an attempt to find someone who could better appeal to the Oxford electors. Brown was not being "magnanimous" because he liked Hincks, but because, as he told Baldwin, he had "much staked on the result of this election...." Indeed, he commented that "Mr. Hincks conduct for the last year has scarcely merited such a sacrifice."[7]

By late November, Baldwin had decided that Hincks himself should be the candidate, having ascertained from Thomas Shenston that Hincks' qualification was there and that local feeling was positive. Hincks returned to Montreal on 14 December and quickly decided to stand for Oxford, although he advised Shenston that if a better person could attract votes from the Scots of Zorra township, he should be put forward. There may have been an ethnic factor at work, since Hincks had rallied the Irish against the Scots Tories in Montreal in 1844. Oxford Tories had publicized this and other unpopular stands he had taken.[8] While Hincks agreed that his friend and Toronto leather merchant James Beaty was a good choice, he stressed that he had a "political duty to perform" and that he would "probably not be long out of Parliament when it is fully known that I am not going for Oxford."[9] Though Hincks resolved not to go to Oxford, he won by 384 votes. However, the returning officer, J.G. Vansittart, declared Hincks' opponent James Carroll elected "on the ground that the date of the qualification was prior to the signing of the writ of election."[10]

Hincks wrote Shenston on January 10, thanking him for all his work, sending money to "discharge all claims promptly", and obviously quite angry at the outcome. He explained that he was was "not in desperate circumstances, neither dead nor in gaol, nor elected for L.C. nor in danger of your sheriff", but that he had not been able to go to Oxford for financial reasons. He hoped "to pay off the Tories some scores which they have been getting chalked up for some years - I never was more mistaken in my life than I shall be if Vansittart escapes with impunity after such a daring piece of villany."[11] He speculated that if "returning officers can do such acts, a ministry could at any time with our small house pack it with partizans."[12] However, Hincks had to wait for his problem to be solved.

As it turned out, the initial setback did not matter, since the Reformers throughout the west won, to their thinking, a tremendous victory- 24 seats to 18

3


1.0
4.5
5.0
5.6
2.8
3.2
3.6
4.0
2.5
2.2
2.0
1.1
1.8
1.25
1.4
1.6

MicroD

for the Tories. The size of the Reform victory was by no means a foregone conclusion: Hincks thought they should "get a majority of perhaps 8 or 10 [in both sections] but I confess I never calculated on a U.C. majority."[13] Nor was the victory there based on responsible government: by 1847, the imperial government had accepted the inevitability of that principle and Canadians were concentrating on more immediate questions. The old ministry was indecisive and unpopular; a depression was beginning after Britain's switch to free trade; and the Irish famine crisis had not been handled well. The Reformers had a strong organization and united to defeat the Sherwood government.[14] Interestingly, though, they did not put up a candidate to oppose MacNab in Hamilton: Donald Beer noted the opinion of contemporary newspapers, which declared that MacNab had "outlived the paltry squabbles of party...." But he suggested that commercial considerations were more important: "It was not his role in the Burlington Bay Dock and Shipping Company, the Canada Mutual Life Assurance Company, or any of the many other new enterprises on the boards of which he sat but his promotion of the Great Western railway over the preceeding three years that was chiefly responsible."[15] There is no evidence that Hincks had anything to do with the decision not to oppose MacNab, but it was certainly in keeping with his ideas. It was also part of a developing affinity between business-minded Reformers and business-minded Conservatives, manifested in the directorship of various companies, and in the support Reformers like Hincks gave MacNab in his dispute with the Draper ministry.

The results in Lower Canada were even better; Hincks reported "a glorious victory." Historian Jacques Monet argued that LaFontaine's leadership and Elgin's popularity among French Canadians, combined with the reaction against the ministry which had "bravé, dedaigné, revolté le bon sens du peuple canadien", secured a Reform victory of 33 to 7, with two more added shortly after.[16] Hincks told Baldwin that John Young was a "great acquisition and [Reform editor William]

Bristow worked incessantly": "To beat them [the Montreal Tories] in their stronghold...was glorious & must have a great moral effect. In truth they are quite crestfallen, and already their papers admit that the loosefish are beginning to 'cast about in their mind's eye'."[17] They would be looking with interest for the policies of the new government.

There was a bit of a problem caused by the St. Maurice election of L.J. Papineau, the former Patriote rebel. Papineau had made "a pretty frank declaration of republicanism" and "distrust of Responsible Govt", and many Reformers found it "awkward to profess antimonarchial doctrines and a contempt for Responsible Govt at the time when the said Responsible Govt is likely to bring them into place."[18] Hincks, however, advised LaFontaine and Holmes that Papineau "must be tenderly dealt with":

> Depend upon it a majority of our party even in U.C. think that there is much truth in what he says. I do not think he will do us harm. he takes a radical position. he does not want office- he will support us against the Tories, and in fact it is in my opinion no harm for a party to have others taking a more extreme course than ourselves. The Whigs did not abuse their radical supporters.[19]

This letter reveals that Hincks was willing to be tolerant about the radicals, at least before the formation of the Clear Grits. In fact, he regarded a radical fringe as healthy in the political system. His advice to treat Papineau "kindly and say nothing to irritate" was adopted by the Reformers, and it made good political sense: if those elements could do no serious harm, they should not be unnecessarily provoked; they could perhaps serve a useful purpose, broadening the base of the Reform party for the next election, whether they realized this role or not.

While the Reformers were certainly likely to obtain power in 1848, Hincks' role was a subordinate one until LaFontaine and Baldwin left. Early in 1848, despite what he had written one year previously, Baldwin did not think that Hincks necessarily deserved a cabinet position- he was only one of twenty-four possibilities, members from both houses and even a few out of Parliament.[20] When LaFontaine insisted that Baldwin join the ministry, he only said, "I consider the accession of Price with a seat in the Cabinet as essential." Hincks was not a priority. Nevertheless, on opening day, February 25, the Reformers defeated the proposal that MacNab should be Speaker by a vote of 54 to 19, and installed A.N. Morin, who did not want to rejoin the ministry for reasons of health[21] and had his heart set on the Speakership. After the Governor General read the Sherwood ministry's speech from the throne on Febraury 28, Hincks' controverted election was brought up and settled on March 1.[22] There was some question about how to handle Hincks' return: Baldwin argued that it should be dealt with by a committee of the House under the Grenville Act, which governed disputes between two contending parties as well as electoral abuses. He thus voted against Hincks' return by the House, based on constitutional principle, and asserted that in such cases he was not "influenced by party considerations."[23] The vote in favour of Hincks was 40 to 12, with four Reformers voting with the Tories. Hincks commented to Shenston that Baldwin was out of step with the majority.[24]

The ministry was defeated on March 3 and resigned the next day; LaFontaine and Baldwin were asked to form a ministry on March 7, and the new cabinet, including Hincks, was sworn in on March 11. At Elgin's first meeting with his new chief ministers, "Baldwin seemed desirous to yield first place" to LaFontaine. The Governor General advised "them not to attach too much importance to [individual pretensions]...but to bring together a council strong in administrative talent, and to take their stand on the wisdom of their measures and policy."[25] He thought that the new council "unquestionably contains more talent and has a firmer hold on the confidence of Par[liamen]t and of the People, than the last", and that they would seek to disprove the charges of "impracticability and anti-monarchical tendencies" made against them. Indeed, one of Merritt's correspondents, A.B. Willson of Hamilton, remarked on 14 March that "As the new ministry will have matters all their own way I hope they will make use of their power in digesting and carrying out some more enlarged plans of public improvement, instead of forever discussing abstract questions of politics."[26] This was precisely Hincks' intention.

From this point on, Hincks began to make his influence felt in ministerial appointments and policies. On April 13, as he was travelling to attend his Oxford re-election, he wrote LaFontaine "that it is vy important not to have the Solicitor Genl in the Cabinet...." He advised that T.C. Aylwin be appointed a judge, and within two weeks this had been done.[27] The position of Solicitor General no longer had a seat on the Executive Council, and Aylwin's departure made room for lawyer and businessman L.T. Drummond (Hincks had fought to get him elected in the 1844 Montreal by-election), without arousing the jealousy of W.H. Blake, the new Solicitor General West.[28] The next cabinet change occurred when R.B. Sullivan, after returning from an unsuccessful reciprocity trip to the States in August, decided to take a newly vacated seat on the bench.[29]

The character of the cabinet was changing fairly quickly, taking on a distinct business tinge. W.H. Merritt was summoned to Montreal and asked to be President of the Committee of the Executive Council. After being sworn in on September 15, the Hamilton Spectator found it odd that Merritt could "sit at the same Board as his quondam, foul and unscrupulous assailant, Francis Hincks."[30] Hincks had differed with Merritt in June 1845 "on the advantages of having tugs on the St. Lawrence" canals,[31] but these feelings seem to have been put aside for a time: Hincks wrote Shenston that the "appointment has given very general satisfaction", since Merritt was "a shrewd intelligent man not very decided as a party politician but in all other respects very valuable & he stands high in public estimation."[32] He was important because he was a prominent businessman, and committed to provincial development. Still, Merritt was frustrated by Hincks at almost every turn, and their disagreements hindered ministerial solidarity on development questions.

The 1849 session, delayed so long to give the government a chance to put together its legislative program, was the busiest in the history of the legislature to that date. Hincks emerged as the most prominent government spokesman during a session whose high point was the assistance to railways, but which reached one of the lowest points in parliamentary history after the passage of the Rebellion Losses Bill. There had been considerable opposition from the "loyal" Conservatives on this question. MacNab had said that he despised the government, rebels who had been put down but who were "now up again in the majority", and who sought to "turn round upon these men who had risked lives and property, and call them rebels, and not only so, but called upon those very men to pay the losses the rebels had sustained in their struggle."[33] When Elgin gave the bill royal assent on April 25, a Tory mob burned the Parliament buildings. The city and the province were plagued by sporadic violence through the summer. MacNab and Cayley were sent by their party to get the British government to disallow the act, and Hincks went over to defend government policies.

As we saw in the last chapter, Hincks tried to convince MacNab in early June 1849 that his best interests lay in calming Tory opinion on the Rebellion Losses question. While Donald Beer did not mention this letter, he did note that MacNab failed to convince the imperial government to disallow the Rebellion Losses Bill, and also that he failed to raise any money for the Great Western.[34] Beer argued that these personal disappointments were a turning point in MacNab's life: "...there was nothing to be done but to work within the system" and he took the Conservative party back into the mainstream. However, if he did, Hincks showed MacNab the way. According to Hincks, his suggestion for cooperation in early June had little immediate effect on MacNab, who was going to see his protest through the debates in the Commons and the Lords. In letters of June 16 and 22, Hincks described the debates to Elgin, saying that "All denounced in the most uncensured terms the outrages, but they endeavored to establish that there was no sympathy between the rioters and Moffatt McNab &c...." Still, Hincks did "not like McNab's [attitude]"[35]

While Hincks did not think MacNab was moderating his attack, Grey wrote Elgin that he had seen Sir Allan "& I found him very much more reasonable than I expected, the atmosphere in England had obviously had a very calming effect upon him... & he was asked as well as Hincks to the ball at the Palace last night wh. I thought wd be very useful-"[36] When Grey saw MacNab after the Parliamentary debate, he wrote that MacNab "professes t[o] be most anxious to calm the excitement in Canada...[and] that having failed in their appeal to Parlt it wd now be equally for the interest of the Party to wh. he belongs & of their opponents that the excitement shd be allayed...." Grey thought that the problem could be solved by giving the Tories "an excuse for giving up the further agitation of the question wh. can only as he says be done by passing an explanatory Act."[37] And though he told MacNab that such a course would probably be impossible, he was impressed with MacNab's arguments that the Canadian ministry might have been "imprudent" and "needlessly offensive, & I hope you [Elgin] will be able to prevail upon them now to do whatever they can to conciliate the more reasonable of their opponents & to meet all fair objections to the measure-"[38] Grey also had "reason to doubt" MacNab's desire to come to some understanding, but he did not explain further. However, it seems that Hincks' message had finally sunk in - the interests of both parties were not served by such agitation.

Hincks' return home from his frustrating trip to Britain in the summer of 1849 marked the beginning of his aggressive drive to take over the Reform party. He was angry with those unruly Canadians who had been disturbing the peace all summer and whose actions had hindered his efforts to promote Canada as a safe place for British investment. Tory dissatisfaction had focused on annexation to the United States as the solution, and even ministerial supporters were affected. The British American League was established at a general convention in Kingston in late July,[39] and while the League's initial program was fairly moderate- protection, retrenchment and confederation of the British North American provinces- it was, according to Elgin, "a sort of compromise between the Conservatives who are discontented with the local Govt, though true to Britain, and the Annexationists." In mid-August, after several arrests were made for the burning of the Parliament buildings, LaFontaine's house was attacked by a mob and one of the attackers was killed by a shot from the defenders.[40] Hincks' own house was attacked and Reform supporters claimed £34 for damages to it, as well as £716 for LaFontaine's house.[41]

There was more discontent when it was learned that the seat of government might be moved from Montreal. Elgin told Grey on August 27 that his advisers, "who are somewhat impressionable have been horrified beyond measure by what has occurred here lately and loudly protest that it will be impossible to maintain the seat of Govt here."[42] However, the ministry was split on the question of where the capital should be moved- Quebec, Kingston, or Toronto. The French ministers wanted to go to Quebec first, if there were to be alternating Parliaments, arguing that they could not hold together their section of the party otherwise; the Upper Canadian ministers naturally wanted to go to Kingston or Toronto; and Elgin favoured the latter plan because he feared that a move to Quebec "will be considered both here and in England as an admission that the Govt is under French Canadian influence, and that it cannot maintain itself in Upper Canada."[43]

The question of the move was postponed while LaFontaine and Merritt attended a meeting in Halifax to discuss the Quebec and Halifax Railway with delegates from New Brunswick and Nova Scotia. Elgin hoped that Hincks would "make his appearance at Halifax" while the meeting was still on.[44] On September 3, Elgin passed on Baldwin's opinion that a move to Canada West would be preferred, and hoped "that difficulties should be solved by discussion [rather] than by arbitrary edict proceeding from myself-"[45] Hincks was asked for his opinion while still in London, and convinced Grey that Kingston was not suitable, as the Orange stronghold would "be peculiarly disagreeable to the French." If "the old plan of adopting Byetown" would not serve, Grey thought it might be best to adopt Hincks' suggestion of a special session in Toronto, just long enough to arm "the Government with additional powers for the maintenance of the peace...." They would then go back to Montreal. Hincks thought that such powers would check future insubordination and also alarm "those who have property in the town by showing them that the seat of Government is not necessarily fixed there, and that their property would be liable to great depreciation by its removal unless the inhabitants were on their good behaviour."[46] This suggestion, if adopted, would have hit directly the interests of those who promoted annexation. It is also apparent that Hincks did not want to move from Montreal and be constantly moving between Toronto and Quebec. Though he could not convince the English bankers to lend the province as much as he wanted, he certainly impressed Lord Grey with his arguments.[47]

Another important issue cropped up just as Hincks arrived in Montreal in early October. The fury over the Rebellion Losses Bill and depression had brought about a growing interest in annexation to the United States. When W.H. Blake was sworn in as Chancellor of the Court of Chancery for Upper Canada on October 10,[48] the East Riding of York was opened up and the annexation controversy affected Reform politics. Peter Perry, who favoured annexation, decided to stand for Reform. He was denied government recognition by Baldwin, who clearly stated that only those "who are for the Continuance" of British connexion were political friends- those who were against it would be considered "political opponents."[49] The situation worsened on October 11 when the Montreal Gazette published the Annexation Manifesto. Word was immediately telegraphed to Toronto, where Elgin was visiting after a month-long sojourn in Canada West. Elgin wrote Grey on October 11 that "There will be no response [to the Montreal manifesto] in Western Canada if I can succeed in keeping the seat of Govt here."[50] But there was an immediate response to the Manifesto in the form of a denunciation by George Brown in the Globe.[51] In Montreal, John Young began an anti-annexation petition.[52] Elgin himself was not very worried by the Manifesto, saying that "It is signed by very few French- and not many prominent politicians...The proper way [for the English press] to treat this document is to represent it to be, what in fact it is, an emanation from a knot of violent protectionists and disappointed party men."[53]

The Rebellion Losses crisis and annexationism formed the backdrop of the ministerial gathering at Niagara Falls on October 18. LaFontaine, Baldwin, Hincks, Taché and Merritt decided to move Parliament to Toronto, and to convene alternately at Toronto and Quebec: "LaFontaine is much against the plan - but except a sort of vague idea that by means of a great fight we might subdue the faction and restore order in Montreal he seems to me to have nothing to offer to justify remaining there." Elgin thought that a return to Montreal would boost the Upper Canadian annexation movement, although he also recognized that "the removal will do some mischief among the French who are Narrow Minded and bigotted on all these points beyond belief."[54] As to Hincks' plan, that "of leaving Montreal for a Session with the view of obtaining additional powers", it "did not obtain much support." However, Elgin thought "The crisis is certainly a very serious one- It may lead not improbably to a break up of parties- If it splits the French it will be a consummation devoutly to be wished." Elgin was exasperated by some of the French councillors. One week later L.M. Viger resigned, citing the removal of government from Montreal, and apparently after some very heated words with his fellow-ministers.[55]

At this point, Hincks and Baldwin had quite a dust-up over patronage. Hincks was critical about the lack of action on the Solicitor Generalship, saying quite brutally that "The whole country cries out against you all & I must say in perfect frankness against you in particular for vacillating...especially as you knew for months that it would become vacant. Any decision is better than the appearance of vacillation." He also thought that the Crown Lands needed a change, and then probably shocked Baldwin by saying that he could complete a satisfactory and permanent reconstruction "in 24 hours". He concluded by recommending Sandfield Macdonald for Solicitor General. Hincks was obviously depressed about the state of affairs- the move to Toronto did not please him either- and he seriously considered retiring from public life.[56] However, he also knew that he had gone a little too far in this extraordinary letter and apologized to Baldwin a few days later.[57]

Hincks was mollified by the authorization to dismiss the QCs and JPs, and was "sure the effect will be excellent": "It shews that we have some energy...I do think that we deserve the reproach of puttg off evythg. We debate over & over again matters that ought to be settled by one Minister...." He concluded by saying, "I feel assured that the annexation movement will do us good."[58] After almost giving up, Hincks was now back in place, although chafing under what he considered a vacillating and inefficient system. It seems that Baldwin even offered to resign if it was thought necessary, but Hincks knew that such a move "would involve the breakg up of the party". He explained further about forming an administration in 24 hours, saying that he could only have done so if he had been "in the position of yourself & Lafontaine not on my own host." But while Baldwin was needed for the time being, he would be replaced as soon as Hincks could act "on his own host."

In a way, the ill-fortune of Hincks' fund-raising mission to Britain strengthened his position: the trip clearly pointed out the close relation between Canada's internal situation and her credit in the money markets, and Hincks returned to Canada with the confidence and authority needed to straighten out the political mess, even to the extent of chastising his leader. While biding his time, Hincks' influence continually grew. Malcolm Cameron was neatly edged out by Hincks- he had been causing trouble on the question of the School Act, was somewhat reluctant "to abide by Cabinet decisions",[59] and he also wanted Price's job as Commissioner of Crown Lands. In late November, Cameron turned down LaFontaine's offer that he become Chief Commissioner of Public Works. Hincks suggested that LaFontaine pressure Cameron to take that position or resign.[60] This tactic was successful, as Cameron left the government - another indication of Hincks' managerial ability and increasing influence in the party.

There were other indications that changes in the ministry were imminent. Early in 1850, Baldwin had fallen ill and could not attend any of the council meetings between January 12 and March 12.[61] Even when he did recover sufficiently to attend to work, Drummond asked LaFontaine why Baldwin was working and suggested that he should rest for several more weeks.[62] Soon after Baldwin's return, he threatened to resign when his colleagues proposed to make the Legislative Council elective. He was apparently convinced to stay on when they dropped the idea.[63] After such a difficult winter, when the ministry had had to contend with the Rouges, Clear Grits, annexationists and Tories, and when riots had to be put down in St. Jerome and St. Gregoire,[64] LaFontaine also thought of retirement.

A.N. Morin tried to comfort his leader by writing that annexation was only a passing phase- a lightning rod that brought opponents together temporarily. Morin confessed that he was tired of fighting and it seems that LaFontaine had planned for some time to retire at the end of the Parliament. Morin said that he was incapable of being leader, and that "ma santé, les autres occupations qui m'ont éloigné des affaires publiques, tout me commandera alors le repos."[65] Baldwin, too, was increasingly overworked with his legal and parliamentary duties. Indeed, in June, W.O. Buell told Baldwin that the public considered his career over, and that he was being called the "Finality man."[66] Only the two of them stood between Hincks and the leadership, and they would soon be edged out. Hincks saw a situation he could exploit.

By 1850, Hincks was certainly the strongest cabinet minister and he was involved in strengthening the ministry by the appointment of like-minded men, replacing the old guard with men who were more representative of the increasingly important community of businessmen-politicians. Joseph Bourret was appointed on 17 April 1850. He was a business partner of LaFontaine's (they owned property together with Pierre Beaubien)[67] and sat on the board of the Montreal City and District Savings Bank with Hincks, LaFontaine, Morin and Drummond. He had also served two terms as mayor of Montreal (1842-3 and 1848-9) and had been appointed to the Legislative Council in November, 1848.[68] Bourret was asked to join the cabinet two weeks before Jean Chabot, Chief Commissioner of Public Works, resigned on March 30 because of his drinking problem.[69] After Merritt resigned as President of the Council and was sworn in as Chief Commissioner of Public Works, Bourret took over as President of the Council and Assistant Commissioner of Public Works. "By this means", Elgin wrote, "a salary is saved and the Cabinet reduced to eight in number."[70]

The ministry also gained a valuable friend in John Young, a prominent Montreal businessman, a Unitarian and friend of Hincks since 1844, who had severed his partnership with Benjamin Holmes and Joseph Knapp when they signed the Annexation Manifesto. Young was asked to go to Washington on the ministry's behalf to assist Sir Henry Bulwer with the reciprocity negotiations. Elgin thought that Young was "the most enlightened merchant and the best political economist I have met with in Canada." Young was also "most confident that Canada can thrive without" the deal. He would tell "the Yankees that although we are desirous to obtain reciprocity we are by no means dependent on it-"[71] Elgin thought that Young's business might prevent his going,[72] and it seems that a Mr. Tiffany was sent, "a much more cautious sort of Gentleman" and negotiator than the "overzealous" Merritt.[73]

Hincks was also continually consulting his supporters in Oxford, particularly Shenston and W.H. Landon. He solicited opinions on the Municipal Bill, School Bill and Representation Bill, saying that "information from all quarters is always agreeable." In April 1850, Hincks was concerned that the new County Council would cause trouble, as it seemed to want to elect judicial officers and appoint local officials like Sheriff and Clerk of the Peace. He said that "this is the sure way to retard all reform...frighten all moderate men, alienate them, and place the Tories again in power." Though he was "glad to know the views of the Council", he argued that "There has been evy desire evinced to give up all that can reasonably be demanded-"[74] Hincks also warned Shenston that the county would have to be divided under the new Representation Bill: "It is too large for two members and not large enough for 4." He knew that it would be difficult locally to divide and rearrange several townships, so he proposed a number of arrangements and wanted Shenston's opinion "after seeg as many as you can." On 2 May, Hincks sent Shenston a draft of the School Bill, asked him to show it to Landon and "as many friends as possible...& let me have your & their opinions thereon." He was still worried about dividing the county, and though he was "anxious for the best arrangemt I can get", he pointed out that "local interests must give way where great objects have to be carried."[75] This argument was the same one Hincks used to defend himself against criticisms about railroads routes.

Four days before the 1850 session opened on May 14, Elgin wrote Grey that the lateness of the sitting was good, as feelings had cooled and harmony was more or less restored. He sent Grey a copy of the Hamilton Spectator's ministerial characterizations, including one of Hincks, which said that no public man "in the length and breadth of Canada...[is] so utterly hated and unpopular as is Mr. Hincks; and it is well known that he is the very vitality of the present Government." Elgin noted that "The antipathy to Hincks arises I believe mainly from his being a clever man - too much for them": "Nothing is more remarkable than the dead set which is made in these communities against superior ability."[76] Hincks' mettle would be tested in the 1850 session, since the Clear Grits, recently aligned radical Reformers from Canada West, tried to be as troublesome as possible. They pushed the government on the clergy reserves, retrenchment and other planks of the platform they had put together at various conventions in March. During the debate on the address in reply to the throne speech, Hincks responded to the criticisms of William Cayley and L.J. Papineau by defending the ministry's judicial appointments, the Court of Chancery, the response to the disturbances of the previous year in Montreal, and the provincial finances. He also discussed important development matters: reciprocal free trade with the Lower Provinces, the Quebec and Halifax Railroad, and the tolls.[77] His underlying point was that Canada's financial health was improving steadily.

Merritt and Cameron joined the Clear Grits in pressing for retrenchment, but they were outmanoeuvered by Hincks,[78] who, at the end of May, proposed the appointment of a committee of "enquiry into the Revenue and Expenditure of the Province...." The committee began to examine what public service salaries could be reduced, though the various departments had to be given time to detail their expenses. When the first report was issued on July 9, nine of the twenty-one members protested the report, saying that the government was not interested in limiting "those serious items of expense affecting the Chief Officers of the State with which, to be effectual, retrenchment ought to commence."[79] Hincks had been asked to respond in writing to Merritt, who had proposed a retrenchment of £21,663.16.3 under nineteen different heads, from the Governor General's salary to various departmental cuts. Hincks addressed them all and was very specific and unrelenting in his criticism. About the only reduction he did not mind was heads of departments' salaries, although he was "not of the opinion that these salaries are at present too high":

> Were I to look to my own pecuniary interest- to my health and comfort, I would not hesitate to choose several subordinate offices in my own department to my present office, at its present salary. I do not, however, believe that political offices are sought in any country merely for the salary. Public men are, I trust, actuated by higher motives. I do not think it wise policy to reduce salaries below what talent would command in other avocations, on the ground that public men should be actuated by patriotic motives, and that they are repaid by the honour which their offices confer.

The reference to "higher motives" is ironic when one looks at his later activities, though one might argue that if the salaries had not been reduced, Hincks might have had less need for private speculation. However, he "cheerfully" agreed "that it was expedient to reduce the salaries [by £200] attached to the highest offices in the country, in order to meet public expectation...."[80] As for the rest, Hincks showed that "The salaries are not excessive- indeed they are such as to render it difficult to obtain efficient men", and any reductions would affect the efficiency of the civil service.

Retrenchment was a recurring subject for the remainder of the session, coming up in discussions on the salaries of the Superintendent of Schools, Canada West, the Postmaster General, and other postal officials. Merritt had not succeeded, but the opposition kept up the fight, sometimes "going to the most absurd lengths", as the Toronto correspondent of the Pilot put it. Of ministerial supporters who voted with the opposition ("almost all of them have some scheme of their own requiring the outlay of public money"), the Pilot singled out James Smith, MP for Durham. When he was told that no work could be carried out in Port Hope (due to monetary difficulties and the government's commitment to the British financiers not to start new works), Smith had then voted against every ministerial measure: "A more bare-faced piece of political dishonesty was never perpetrated."[81] The result of these continued defeats was that Merritt resigned 24 December 1850[82] after his retrenchment minute had been rejected by the ministry and he had been "brought to book", as Elgin put it.

Hincks exhibited some of the compromise he thought was essential in politics on the question of assessment for Upper Canada. He introduced the new bill on June 11, having made several changes from the bill of the previous year: he had adopted a system of taxation based on rental, rather than actual, value of the property for the towns and rural areas, as it "appeared to be more acceptable to the people"; instead of the objectionable assessors enquiring into peoples' personal property, Hincks proposed a "scale of different classes, according to the amount of property...and each individual would be required to state to which class he belonged"; municipal corporations would be allowed "to adopt the personal property clauses or not, as they thought fit"; and no man could be "assessed for a less sum than the amount of his annual income." But when the bill came before a committee of the House on 12 July, it still met much opposition.[83]

T.H. Johnson, of Prescott County, suggested that personal property "should only include all merchants' shops for the value of goods on hand...[cattle and horses over two years, carriages used for pleasure and] all stock or shares in steamboats, schooners or watercraft employed in the conveyance of freight or passengers, and owned in the municipality." To the business-minded Hincks, this attack on the "visible property" of entrepreneurs was "monstrous". He argued that if such a proposition was carried a Toronto "merchant who possessed stock worth only £5000, might be called upon to pay more than another who was worth £100,000." Then, on July 16, Hincks sacrificed his point, and informed the House that he had not changed his mind on the matter, "he had changed his policy." He softened the measure by saying that the "average stock" of merchants, after enumeration, should be assessed and taxed, something one member said would be impossible to ascertain.[84] The Pilot, though biased towards Hincks, commented very favourably on Hincks' role in getting the assessment bill through the House and the "very poor" opposition debators.[85] On taxation policy in general, Hincks was trying to equalize the system, which had hitherto taxed the farmers more than the merchants. He may have been trying to buy some votes in the country, and to raise money by imposing a property tax. He had consulted widely, saying that his measure was favoured by his own constituents, "an agricultural community", the city of Toronto corporation, the Municipal Council of York, and many others, and he was motivated more by a desire "to effect a fairer and more equitable mode of assessment"- the total amount would not be raised "one single farthing".[86] Though his Upper Canadian supporters had forced a compromise, by rationalizing the system, it would be easier to raise money for government purposes.

Other than the assessment bill, Hincks was very busy: he proposed a reduction in the Emigrants' Tax (June 4), and introduced the Public Works Companies bill, the Common Schools (U.C.) bill (June 26), the Grammar Schools (U.C.) bill (discharged on August 3), the Foreign Reprints bill (July 16), the Customs Duties bill and the budget. His Territorial Divisions (U.C.) bill was meant to increase the municipal and judicial powers in certain counties, like Middlesex and Waterloo, where increased population made division a necessity.[87] It was finally passed in the 1851 session.[88] Hincks' Tavern and Beer Licenses Law (U.C.) was potentially very important politically. Since tavern licenses were an important form of municipal patronage, and the taverns themselves centers of influence in elections,[89] the ground rules under which they were granted were vital. Hincks' bill took power from the JPs, who were appointed by the governor-in-council, and allowed "the Municipal Authorities...to regulate Taverns and Beer Shops, and to fix the Duty to be payable thereon, and to make better provision for the issuing of such Licenses."[90] This increased power for the municipalities, along with the power to assess, may have been an attempt by Hincks to win some support from the towns, and particularly Toronto, which was so important politically. There was no recorded debate, but this bill was likely an indication that Hincks and the Orange Order in Toronto had reached a truce, if not an agreement to work together constructively.[91]

As if Hincks did not have enough difficulty keeping the various factions within the party happy, a by-election was held on April 14 to replace Haldimand MP David Thompson, who had just died. It pitted W.L. Mackenzie against George Brown, neither of whom Hincks particularly wanted in the House. The ministry did not support either, though Hincks had been corresponding with both men. He told Mackenzie to "keep cool" about a forthcoming cabinet decision on a claim he had against the government: "...do not injure your cause by writing letters unless to me who do not mind your scolding."[92] When Mackenzie claimed that Brown had been sent to Haldimand to oppose him, Hincks assured him "that you will have no cause for complaint on the score of govermt interference with the election."[93]

At the same time, Hincks was telling Brown "that all the real friends of the Reform party are most anxious for your return to Parliament so that you can render important service to the party, and that if you can be brought forward without dividing the party it would be satisfactory to all the ministerialists here."[94] Mackenzie won, and though he stayed aloof, the Clear Grits usually allied themselves with him.

At about this time, Hincks became impatient with Baldwin's anti-development stance. In late April 1851, he took Baldwin to task and sparked a serious ministerial crisis. Baldwin's "opposition to my proposition for facilitating the construction of Canadian Railways is unabated", he told LaFontaine. He complained that "under our system of governt it requires a vy strong case indeed to be made out to justify a minister having no special responsibility in opposing a proposition emanating from the Minister peculiarly responsible for the branch of policy with which such proposition is connected, and especially against the opinions of the other members of the Cabinet."[95] This view of cabinet responsibility was certainly unique, but Hincks was frustrated by Baldwin's obstruction. The objection to allowing municipalities "to lend their credit for the construction of Railroads" was "invalid", as Hincks pointed out the difficulty of raising money on provincial securities. Hincks could "find no good reason for disparaging the Municipal securities", particularly when the latter "are held by the most prudent capitalists in our community...." Baldwin objected to two other facets of Hincks' proposals, that of issuing 7% debentures (the provincial limit was 6%, but some corporations had been given permission to go up to eight), and the contention "that the guarantee of the principal is an addition to the public debt while a perpetual guarantee of interest has not that effect...."

Hincks then gave his ultimatum. Though he confessed that he did not "vy clearly understand to what length Mr Baldwin is prepared to carry his opposition that is to say whether the Govert is to be broken up upon the question", he had explained to Baldwin "the utter impossibility of my sustaining in Parliamt a thoroughly standstill policy in this question or of proposing further restriction without at the same time extendg facilities for the construction of these works-" He asked LaFontaine to give his resignation to Elgin. He wanted it understood "that many of my colleagues concur in my advice but as I am well aware that Mr Baldwin's withdrawal from the Governt would be fatal to it and as no other member is placed in a position at all similar to my own, I do not suppose that an irreconcilable difference of opinion on this question would in any other case lead to a break up in the Govemt."[96] He concluded by saying that a break up would have occurred "inevitably in two or three weeks" and that it should not be postponed. LaFontaine managed to soothe differences, and got Baldwin to "acquiesce" to two of Hincks' points; he got Hincks to give up "that part of his plan by which it was proposed to receive Municipal Bonds as Deposits for Bank issues under the Free Banking Act...." Baldwin backed down only because LaFontaine told him that his resignation would destroy the government, but he made it clear that he did not "concur in the expediency of the adoption of these other proposals."[97]

Two days later, the situation had not improved much. Hincks told Shenston that Baldwin was standing in the way of improving the Assessment Act: "I tell you frankly that I individually highly approve of the power being given but Mr Baldwin has an insuperable objection which I have tried in vain to overcome. Like our other matters we must take patience. Perfection is not to be attained at once."[98] After the confrontation, Baldwin apparently fell ill. He did not attend five council meetings in May until the 23rd.[99] But Hincks had already turned his attention away from Baldwin and was worried about keeping the party together. To Shenston, he said that many Reformers were "acting with a degree of stupidity, almost brutal stupidity that is unsurpassed in any country." He said he could "understand aspiring or disappointed politicians but how the masses of the people can lend themselves to the destruction of their party and to the prostration of the best interests of the country is to me most extraordiny-"[100] Hincks told Shenston that it was very possible the Clear Grits' strength would split the party at the next election thereby handing power over to the Tories- "if so adieu to Reform majorities for the next 10 or 20 years"- all because a few disappointed men were "prepared to sacrifice the country to their own ambition":

> Time will tell perhaps whether I or my colleagues value office for its honour or emolument. We have done some good in our day. I feel that I can do much more and if allowed will do it. If not I will submit with a good grace & without rep[ent]ing. I am not afraid that if the Co of Oxford take a Carroll a Malcolm or a Vansittart its electors will repent the change sooner than I will.[101]

For a while, Hincks probably wondered if it was worth staying on and singlehandedly fighting the party's opponents, both internal and external: even Elgin acknowledged Hincks' problem in a letter to Grey on May 17, saying that he did not want to lose Hincks at a time when the imperial government was going "to throw...fresh burdens" on the province.[102]

Shenston, however, got the wrong impression- he thought that both Hincks and Baldwin wanted to secure permanent office, leaving active politics. Hincks quickly disabused his friend of that notion, saying that "We neither of us desire anythg of the kind- We should be ready to retire either from office or from Parliamt as the case may be when the proper time arrives, and can contrive to live without any aid from the public."[103] It seems that Hincks was preparing Shenston for a coming change- having been with Baldwin throughout most of his political career, Hincks knew about Baldwin's proclivity for resignation (1836, 1841, 1843 and various other threats). Thus, it was not very surprising to him when Baldwin resigned after the Court of Chancery vote on 26 June.

Many others wondered why Baldwin did resign, as the ministry had survived before with the support of Lower Canadian votes. The Tories and Clear Grits did make an issue of it: Sherwood said that as "four fifths of the members of Upper Canada had voted against the Chancery Court, against the Attorney General West", he should resign. Baldwin, in his emotional explanation a few days later, said that his loss of support on the Chancery Court "was an evidence that he was no longer fit to occupy the position or attempt to perform the duties of the situation he then held. [He was] an intruder."[104] In fact, Baldwin's position had become untenable and he took the first opportunity to retire. As Elgin told Grey, Baldwin was "so disgusted with the want of support which he experiences from the U. Canadians that he has sent in his resignation." Further, he was "not well, and has, I think, for some time been desirous to leave...." Elgin added that "the Tories will by their factiousness have driven out of the Govt the most Conservative public man in U. Canada. They will probably live to rue it."[105]

As soon as Baldwin sat down, the House, much affected by the speech, heard a few brief eulogies. Then Hincks rose and hardly gave Baldwin a mention. He had created a situation in which Baldwin had little choice but to resign, and the next step was to look forward. This resignation marked the turning point in Canadian politics, and Hincks came to power by promoting a form of responsible government in which development policies were geared to the interests of the business community. As Baldwin went out gracefully, Hincks quickly took over the western section of the ministry, saying that he did not need to resign as he had not "taken any particularly active part in the establishment of the [legal] system...." He said that his first task was to preserve the Union, and since no party could form as strong an administration as he, "it would be a most serious [and] very wrong step...to break up the present Cabinet." A break up would severely shock "the public credit, and would...render it impossible to carry on the great works in which the prosperity of the Province was so deeply involved...." Hincks warned the House that he intended to preserve the Union "by mutual concessions...." Further, unless the Clear Grits "changed their policy...other combinations must be formed for its safety...." He added that "For himself, he was ready to withdraw at any moment, and give his cordial support to any party [or] any combination of parties by which the Union [and] the constitution could be maintained."[106] This statement foreshadowed the arrangement of 1854 and shows how far Hincks would go to protect the union and his French Canadian colleagues: he seemed to be willing to sacrifice his own power base to ensure that his policies were continued.

He also outlined the principles on which he would act: religious toleration (in the case of ecclesiastical corporations); equal representation rather than representation by population; a solution for the Clergy Reserves when one could be constitutionally arrived at; and in general, he would support "any ministry who would sustain the great constitutional principles, notwithstanding their differences on minor points."[107] Hincks thus staked out his ground. He was certainly interested in advancing provincial development and settling some great questions, but at that moment he wanted to preserve the Union and he believed that minor differences should be put aside when such issues were involved.

At the same time, there were rumours that more changes were ahead: Robert Christie of Gaspé asked the ministry "whether any coalition has been proposed between the present ministry and the Opposition, or any section or individual member thereof?" In particular, he wanted to know if MacNab had been offered a position as Chairman of the Railway Board, or "any office, or offices, under the Government." Both LaFontaine and MacNab said that there was absolutely no truth to the rumours, MacNab asserting that he "did not like to be charged with defection from the party with whom he had acted all his life...."[108] And a few days later, Hincks denounced the Examiner which had criticized him for saying that he was going to form "some coalition with different parties of this House." He repeated that without mutual concessions by all parts of the Reform party, "the present combination could no longer exist--that if after the elections, the opinions of the member for Haldimand [W.L. Mackenzie] prevailed so as to break up this combination, he would be prepared to abandon his place; and he would then be ready to support any Government prepared to carry out great constitutional principles."[109]

Hincks was even more emphatic in a letter to Shenston on July 7: he was sorry that his "parliamentary conduct should have caused dissatisfaction to my friends in Woodstock" but he would not abandon his views. The "foolish policy of the Clear Grits" would destroy the ministry, though "the probability is that there is madness enough in the people to ruin all the prospects of the party": "I shall continue to try to keep it together but its ruin seems to me inevitable. The people are ready to join evy cry against the administration got up by disappointed men who if they were in our places would probably do exactly what we do."[110] Hincks was obviously aware that he could only keep the party together a short time before it split apart, and thus his relationship with the Tories is important. MacNab, in defending the Tories' vote against Baldwin's Chancery Court, made his position clear. Even though he thought that the court "was distasteful to the country at large", he would have supported Baldwin if he had "moved an amendment for a committee of inquiry...." There had been a way out if Baldwin had chosen to take it. But, MacNab continued, "and he wanted it to go over the country, that he would never lend his aid to put out the present ministry, and he would do all he could to prevent a cleargrit party rising through the land and would support any party to prevent that."[111] This is another foreshadowing of 1854. When LaFontaine made official his intention of retiring at the end of the session, the wait was almost over and Hincks could begin to think about organizing his own government.

After the session ended on August 30, Hincks began to make changes in the ministry. LaFontaine was still in charge and Baldwin still ran the Attorney General's Office although he did not participate in council meetings. Elgin noted that the arrangement, though "not a satisfactory one...is a smaller evil than those I should rush into if I forced on a ministerial crisis...."[112] One Belleville Reformer voiced a widespread concern about repairing the party's unity: James Ross wrote that the Clear Grits had nowhere else to go and the party "as at present organized is quite competent to carry all useful Reforms that the Clear Grits can reasonably desire."[113] As for "That fellow [George] Brown", Belleville Reformers were just about ready "to act together and discontinue the Globe". Nor were they pleased with the defection of the Examiner or the Mirror. It seemed that a new paper might have to be started.

One of the first things Hincks did was to try to secure the support of a newspaper in Toronto. George Brown had been warning the ministry since late 1848 that he would oppose the government, "in a friendly manner", if he could not support their policies. He hoped that the Reform leaders would "make our Country prosperous & the people intelligent & happy...[and] that this will be done through the people, & not for them."[114] After Brown lost to Mackenzie, he became more bitter, and he broke completely with the ministry after Hincks took over. Indeed, Hincks' first address to the House as leader included an attack on the Globe. Brown's voluntaryism led him to fear Hincks' tendency to "state churchism" and his alliance with the French Canadians.[115]

Hincks informed Shenston on July 25 that Dr. Rolph and Malcolm Cameron, the Clear Grit leaders, had had discussions with the ministerialists and that both sides agreed "to forget the past & go united to the elections": "They agree to abandon all platforms & to confide in the new administration to be formed in a few weeks to do what is right- The Examiner & North American are to support the

Governt in future."[116] The Clear Grits had a slightly different interpretation. William McDougall wrote to Charles Clarke of Hamilton on 26 July that "The Govt ie. Hincks & his young colleagues have knocked under- struck their colors. We have routed them sooner than I expected, and the difficulty now is to combine anew." McDougall was perhaps too optimistic, but he went on to say that two Clear Grits- Cameron and Rolph- would be taken into the cabinet. Hincks would stay, J.S. Macdonald would probably be Attorney General, and "Morris & one or two of the Frenchmen in the Upper House would of course remain":

> The French have been sounded and they agree to allow us our own majority to settle religious questions in Upper Canada as we want to have them settled. They dislike the Tories and would be glad to see reconciliation among the reformers of U.C. The Tories [who thought they had the cherry in their mouth] have been making all sorts of humiliating overtures (on the tory part) to them.

It seems that the Tories almost formed a coalition with the Reformers, but that Reform differences were smoothed over and all were "willing to heal up the breech and let bygones be bygones if the gentlemen who are now in and wish to keep in agree to go forward...."[117]

Things did not go quite the way Hincks wanted them to. Lesslie and the Examiner did not cooperate, and when news of the deal leaked out in early August, Hincks stated that no "propositions by or to the Government...had taken place, notwithstanding various mysterious paragraphs to the contrary in several newpapers." However, he did admit that the party, not the government, had been trying "either to establish a newspaper, or to get the aid of some existing paper to support the administration."[118] Hincks was obviously covering up the arrangement, though there is other evidence that one had been reached. Sandfield Macdonald took credit for being "the first person who insisted upon making overtures with the Rolph party & did subsequently have several interviews with prominent men on that side, including Mal. Cameron...."[119] And Charles Lindsey, who was at the time writing for the Examiner and helping edit the North American, asked Sandfield Macdonald for a letter for publication, as he was being attacked by Brown for sacrificing his principles in helping to arrange the Hincks ministry. He added that "the present cabinet, whether for good or bad, had its existence in our negotiations" and asked Macdonald not to "forget that on your first asking me to embark in the affair I suggested that Dr. Rolph should come into the cabinet; and that you neither asked or expected of me any sacrifice of principle whatever."[120] It was thus common knowledge that a deal had been made in August.

Rolph and Cameron were brought into the ministry, though the final consummation had to wait until Hincks was asked to form an administration, and that was speeded up when Hincks and Morris submitted their resignations in mid-September, thereby forcing LaFontaine and James Price to resign. Hincks wrote LaFontaine quite a formal letter on 15 September from Niagara Falls: "The Inspector General has the honour to submit that in his opinion the period has arrived when the Governor General should be placed in a position to form a new administration."[121] The move to Quebec had to be arranged quickly and Hincks wrote that as there were differences on the timing, it was "highly objectionable that by retaining office they [the old ministers] should prevent their successors on whom the responsibility must devolve from exercising their judgement on the matter...." LaFontaine wrote Elgin that his resignation was "considerably hastened by the tenor of a note sent by the Inspector General..." when he left Niagara Falls "on the fifteenth instant, and by that of another note forwarded to him at Toronto, forming a sequel to the former."[122] LaFontaine had proceeded quickly to Montreal, but was kept waiting four days, until 24 September, for an interview "with the Inspector General and his colleagues then present in Montreal." LaFontaine did not like the way he was treated, but he also went out gracefully. He was probably promised a judgeship, or perhaps even the chief justiceship when it came open.[123]

Hincks then asked A.N. Morin to join him in forming a ministry and set about arranging the Upper Canada section.[124] W.B. Richards was his choice for Attorney General, chosen because Hincks believed he was "more acceptable to the bar than Mr. Sanfield [sic] Macdonald", or, as Macdonald said, because "Richards who voted thro' thick & thin with the late ministry when I left them on more than one important question, was just the kind of person that Hincks wanted with him, for he knew that I was made of stuff which would not bear his pressure at all times...."[125] Macdonald was offered the Crown Lands with precedence over Richards, but he wanted the Attorney Generalship. In holding out, he played into Hincks' hands. James Morris kept the Post Office, John Rolph was given the Crown Lands, and Malcolm Cameron was made President of the Council with responsibility for a newly created Board of Agriculture- that got around his objection to the Presidency, which he had said was irrelevant two years before.

There were problems before the impending election. Ross wrote Baldwin on 17 September that constituencies had not yet been settled, and that he was uneasy about the alliance with the Clear Grits. He thought "that any arrangement with Rolph & Co will be but temporary and cannot last. All I want is to keep them muzzled until after the elections so that we may go unitedly to the polls-" Ross even toyed with the idea of opposing Rolph in 3rd York, but said that he "would never consent to divide the party even to defeat him...." He assured Baldwin that he "would do nothing to elect a tory", as they were "just as dishonest as the clear grits"; however, the latter could be restrained much easier than the Tories. Ross was not hopeful about the future, and told Baldwin that he was thinking of staying out of "the new arrangements if asked to do so either as Sol Genl or otherwise." He did not think that the new ministry could "last through a session."[126]

Nor did the arrangements please the Clear Grits, who, Hincks told Shenston on 6 October, were "implacable & bent on ruin[in]g the party."[127] On the same day, Morris wrote Hincks that Morin might not "coalesce with the clear Grits...."[128] However, the difficulties were overcome and the ministry was formed. The North American stayed with the ministry through the elections late in 1851 and had high hopes of what Rolph and Cameron could accomplish, but it was soon disillusioned. McDougall wrote to Cameron in late 1852, complaining about the "treachery and faithlessness" of politicians, who were not too concerned with listening to supporters after the election had been won.[129] Still, Hincks had pieced together the right men to win the election.

Though Hincks wrote Shenston "that the Union is now beyond all doubt",[130] his optimism was not shared. LaFontaine wrote Edward Ellice on 4 November about the abolition of seigneurial tenure, but in closing he remarked that it was impossible to say how long the new government would last. He thought that the Upper Canadian section was weighted too much in favour of "les 'Clear-Grits', et je le regrette beaucoup. L'ecole des Clear-Grits est une école que je n'aime point. Au reste ayant fait mes adieux à la politique, je n'ai rien a dire."[131] But writing to Baldwin two days later, LaFontaine said that he was "getting too old to form part of the school of 'Chisellers'": "That is a bad school- What do you say of your friend Brown? Let the Clear Grits, even Hinks, give him the M.P.P., and he will be, as the case maybe, either the first Clear Grit in U.C., or Hinks' best friend...Away with such traders in politics-"[132] It says something for LaFontaine that he could not spell Hincks' name after knowing him for twelve years. But Hincks no longer had to care.

By 1851, Hincks had shown that he was a skilled political manoeuverer both in cabinet and out. He had been Baldwin's right-hand man before the Union; indeed, convincing him that a united Reform party was the best way to approach the new political arrangement. He had helped bring French Canadian Reformers into the scheme and was one of the chief Reform architects of the 1841 election.

But when the party strategy failed at the opening of the session, Hincks exhibited a flexibility that was characteristic of his career: if one path was blocked, he diverted to another, and pressed ahead regardless. While such a policy led to his temporary estrangement from the Reform party, his talents made him indispensable to Baldwin and LaFontaine, and his 1841-42 actions were soon forgotten. Though he lost his bid for re-election in 1844, he continued to contribute to the "entente cordiale" by running the Montreal Pilot. Despite Baldwin's apparent lack of enthusiasm for Hincks early in 1848 (though to be fair Baldwin was beset by many Reformers looking for cabinet and other positions), Baldwin had spared no effort to secure Hincks' election: he managed to convince George Brown- no friend of Hincks- to work as hard as possible when Hincks was held up by private affairs on his return from Ireland late in 1847.

Once Hincks was sworn in on 11 March 1848, he made his influence felt almost immediately, advising LaFontaine to promote Thomas Aylwin to the bench, and to keep the two Solicitors General, W.H. Blake and L.T. Drummond, out of the Executive Council. After Blake resigned in 1849, Hincks pressured Baldwin into appointing J.S. Macdonald, and he was deeply involved in securing Malcolm Cameron's resignation. Later in 1850, he also made W.H. Merritt's position in cabinet untenable, particularly on the questions of reciprocity and retrenchment. Finally, Hincks edged out Robert Baldwin himself: the two had long had differences over development policies, and by 1851, Hincks had worn down Baldwin's opposition. The Reform leader was in poor health, threatened resignation in late April when Hincks pushed matters to a head, and he took the first opportunity to leave with honour on an adverse vote on his Court of Chancery. LaFontaine indicated that he would also retire after the session ended, and Hincks hurried the end of the ministry by submitting his own resignation (and that of James Morris) to Lord Elgin, thereby leaving LaFontaine with no Upper Canadian section of the government- it was perhaps not the kindest way to leave office. However, Hincks had his own administration to consider, and he was involved in negotiations throughout the summer and fall to stave off what he regarded as the party's inevitable collapse.

Before that happened, though, he wanted his opportunity to promote the politics of interest as premier. This brand of politics had been frustrated under the leadership of Baldwin and LaFontaine, and by the dissension within the party. Though Hincks had been able to bring a few businessmen into the cabinet, clashes with Merritt over retrenchment had diverted attention from more important policies. Nevertheless, he had laid the groundwork for his term as leader of the party by making a stand on government aid to railways, and at the same time removing the chief opponent within the cabinet to his development policies. The next three years would be characterized by "traps, treachery, and strategems": the parliamentary battle would result in new political alignments and interest politics would continue unabated.

[1] NAC, *John Rolph Papers*, 240, Baldwin to Rolph, 31 March 1847.

[2] MTCL, *Baldwin Papers*, Hincks to Baldwin, 16 November 1846, 1-2.

[3] NAC, *John Rolph Papers*, 235, Baldwin to Rolph, 31 March 1847.

[4] J.M.S. Careless,*Brown of the Globe: The Voice of Upper Canada 1818-1859* (Toronto, 1973), 72.

[5] MTCL, *Baldwin Papers*, A55: #49, LaFontaine to Baldwin, 29 October 1847, 1.

[6] *Ibid.*, Brown to Baldwin, 21 November 1847.

[7] *Ibid.*, Hincks to Baldwin, 8 January 1847, 4.

[8] Hincks, *Reminiscences*, 137; see also *Debates*, 1843, 818-20, 828-31.

[9] MTCL, *Shenston Papers*, Hincks to Shenston, 15 December 1847.

[10] *Ibid.*, 25 December 1847; see also Hincks, *Reminiscences*, 189; and Careless, *Brown*, 75.

[11] MTCL, *Shenston Papers*, Hincks to Shenston, 10 January 1848.

[12] MTCL, *Baldwin Papers*, Hincks to Baldwin, 14 January 1848, 1-2. For his financial problems, see Chapter 2.

[13] *Ibid.*, 5-6.

[14] See J.M. Ward, *Colonial Self-Government: The British Experience 1759-1856* (Toronto, 1976); P. Buckner, *The Transition to Responsible Government* (Westport, Conn., 1985); and Careless, *The Union of the Canadas* (Toronto, 1967), 118.

[15] D.R. Beer, *Sir Allan Napier MacNab* (Hamilton, 1984), 207.

[16] J. Monet, *Last Cannon Shot* (Toronto, 1969), 263-5.

[17] MTCL, *Baldwin Papers*, Hincks to Baldwin, 14 January 1848, 5-6.

[18] A.G. Doughty, ed., *The Elgin-Grey Papers* (Ottawa, 1937), 1: 102, Elgin to Grey, 24 December 1847.

[19] MTCL, *Baldwin Papers*, Hincks to Baldwin, 14 January 1848, 3-4.

[20] NAC, *LaFontaine Papers*, #465, Baldwin to LaFontaine, 24 January 1848.

[21] MTCL, *Baldwin Papers*, LaFontaine to Baldwin, 2 February 1848, 2.

[22] *Debates*, 1848, 1: 23-4, 99-131; and *Shenston Papers*, Hincks to Shenston, 2 March 1848.

[23] *Debates*, 1848, 115-6.

[24] MTCL, *Shenston Papers*, Hincks to Shenston, 2 March 1848.

[25] Doughty, ed., *Elgin-Grey Papers*, 1: 135, Elgin to Grey, 17 March 1848.

[26] NAC, *Merritt Papers*, Willson to Merritt, 4 March 1848, 3651.

[27] NAC, *LaFontaine Papers*, #480, Hincks to LaFontaine, 13 April 1848.

[28] Drummond was appointed on 7 June 1848. See J.O. Coté, *Political Appointments and Elections in the Province of Canada from 1841 to 1865* (Ottawa, 1866), 5.

[29] Doughty, ed., *Elgin-Grey Papers*, 1: 228.

[30] J.P. Merritt, *Biography of the Hon. W.H. Merritt, M.P.* (St. Catharines, 1875), 339.

[31] *Ibid.*, 283, 287-8.

[32] MTCL, *Shenston Papers*, Hincks to Shenston, 26 October 1848.

[33] *Debates*, 1849, 1: 673.

[34] Beer, *MacNab*, 260-2. See also Chapter 4, Hincks and the Railroad Interests.

[35] NAC, *Elgin Papers*, Hincks to Elgin, 16 June 1849.

[36] Doughty, ed., *Elgin-Grey Papers*, 1: 360, Grey to Elgin, 14 June 1849.

[37] *Ibid.*, 372, 22 June 1849.

[38] *Ibid.*, 377, 29 June 1849.

[39] *Ibid.*, 441-3, 445-6.

[40] *Ibid.*, 2: 449, Elgin to Grey, 20 August 1849.

[41] Monet, *Last Cannon Shot*, 343.

[42] Doughty, ed., *Elgin-Grey Papers*, 1: 453, Elgin to Grey, 27 August 1849.

[43] *Ibid.*, 454. MacNab had taunted the western members of the ministry that they "were reduced to be serfs" of the French Canadians, who had "the Anglo-Saxons beneath their feet." *Debates*, 1849, 1: 681.

[44] Doughty, ed., *Elgin-Grey Papers*, 1: 453.

[45] *Ibid.*, 465, Elgin to Grey, 3 September 1849.

[46] *Ibid.*, 410, Grey to Elgin, 22 September 1849.

[47] *Ibid.*, 473, Grey to Elgin, 4 October 1849.

[48] NAC, Canada, *State Papers*, Executive Council Minutes, vol. J, 452, 10 October 1849.

[49] Doughty, ed., *Elgin-Grey Papers*, 2: 520-1, Baldwin to P. Perry, 4 October

1849.

[50] Ibid., 575, Elgin to Grey, 11 October 1849.

[51] Careless, Brown, 95-7. For Hincks and annexation, see also Chapter 7.

[52] Doughty, ed., Elgin-Grey Papers, 2: 523, telegraph, 13 October 1849.

[53] Ibid., 522, Elgin to Grey, 14 October 1849.

[54] Ibid., 523, 19 October 1849.

[55] NAC, LaFontaine Papers, #551-2, L.M. Viger to LaFontaine, 26 October 1849.

[56] MTCL, Baldwin Papers, Hincks to Baldwin, 26 October 1849.

[57] Ibid., 30 October 1849. For the patronage aspect, see Chapter 7.

[58] Ibid., 2 November 1849, 1-3.

[59] Ibid., #73, 30 October 1849, 3.

[60] NAC, LaFontaine Papers, #568, Hincks to LaFontaine, 1 December 1849; M. Cameron to LaFontaine, 1 December 1839. There followed a battle in the press between Hincks and Cameron, who insisted that he resigned because he was never consulted on important matters and because his scheme for retrenchment (abolishing the Assistant Commissioner of Public Works) was not accepted (Pilot, 3 January 1850).

[61] NAC, Canada, State Papers, vol. J, 593-632 and vol. K, 1-88. See also Montreal Pilot, 15, 17 January, and 5 March 1850, on Baldwin's illness.

[62] NAC, LaFontaine Papers, #610, L.T. Drummond to LaFontaine, 11 March 1850.

[63] Michael Cross and R.L. Fraser, "'The waste that lies before me': the Public and the Private Worlds of Robert Baldwin", CHA Historical Papers, 1983, 182, n.101, Baldwin to Elgin, 10 April 1850.

[64] Ibid., #600, Drummond to LaFontaine, 17 February 1850.

[65] Ibid., #607, Morin to LaFontaine, 9 March 1850.

[66] Cross and Fraser, "The waste", 183, n.104.

[67] DCB, 11: 58.

[68] Coté, Political Appointments and Elections, 55.

[69] NAC, LaFontaine Papers, #559, Joseph Cauchon to LaFontaine, 15 November 1849; #593, J. Chabot to LaFontaine, 30 January 1850; #606, LaFontaine to Chabot, 8 March 1850; #609, Chabot to LaFontaine, 10 March 1850; #624, Chabot to LaFontaine, 30 March 1850.

[70] Doughty, ed., Elgin-Grey Papers, 2: 631, Elgin to Grey, 23 April 1850; see also State Papers, Executive Council Minutes, vol. K, 156, 9 April 1850.

[71] Doughty, ed., Elgin-Grey Papers, 2: 565, Elgin to Grey, 24 December 1849.

[72] Queen's University Archives, John Young Papers, Young to unknown, 7 January 1850.

[73] Ibid., 630, Elgin to Grey, 23 April 1850. Tiffany was replaced by in mid-1850 by J.W. Dunscomb, one of Hincks' departmental officers. See Chapter 3.

[74] MTCL, Shenston Papers, Hincks to Shenston, 14 April 1850, 1-2.

[75] Ibid., 2 May 1850, 2-3.

[76] Doughty, ed., Elgin-Grey Papers, 2: 657, 661, 651, Elgin to Grey, 10 May 1850.

[77] Debates, 1850, 1: 100-2.

[78] Merritt had been disappointed the previous November when Hincks' reciprocity minute, "a smooth well written document, as usual, but it does not come up to my views and does not express my opinion-" MTCL, Baldwin Papers, A57: #136, Merritt to Baldwin, 20 November 1849, 1-2.

[79] Debates, 1850, 1: 339; 2: 1069.

[80] Journals, vol. 9, 1850, Appendix B.B., Inspector General's Reply.

[81] Pilot, 16 July 1850, 2.

[82] NAC, Canada, State Papers, vol. L, 24 December 1850.

[83] Debates, 1850, 1: 483; 2: 1166.

[84] Ibid., 1229.

[85] Pilot, 18 July 1850, 2.

[86] Debates, 1850, 2: 1165.

[87] Ibid., 941.

[88] Ibid., 1851, 1: 783; Royal assent, 2: 1191.

[89] See G.S. Kealey, "Orangemen and the Corporation", in V. Russell, ed., Forging a Consensus: Historical Essays on Toronto (Toronto, 1984), 47-51.

[90] Debates, 1850, 2: 1345, 1360; see also Canada (Province) Statutes, 13 & 14 Vict., cap. 65, 1384-5.

[91] See also the debate on the bill to repeal the act restraining party processions. Debates, 1851, 2: 1419, 1442-4.

[92] AO, W.L. Mackenzie Correspondence, 7672-3, Hincks to Mackenzie, 23 Feb-

ruary 1851.

[93] Ibid., 7689, 29 March 1851.

[94] NAC, George Brown Papers, 61-2, Hincks to Brown, 3 March 1851.

[95] NAC, Elgin Papers, Hincks to LaFontaine, 30 April 1851, 1-2.

[96] Ibid., 6-8.

[97] Ibid., Baldwin to LaFontaine, 2 May 1851, 1-3.

[98] MTCL, Shenston Papers, Hincks to Shenston, 4 May 1851.

[99] NAC, LaFontaine Papers, #697, Nelson to LaFontaine, 17 May 1851.

[100] MTCL, Shenston Papers, Hincks to Shenston, 2 May 1851, 5-6.

[101] Ibid., 8-9.

[102] Doughty, ed., Elgin-Grey Papers, 2: 823, Elgin to Grey, 17 May 1851.

[103] MTCL, Shenston Papers, Hincks to Shenston, 8 June 1851.

[104] Debates, 1851, 1: 569, 586-7, 606-7.

[105] Doughty, ed., Elgin-Grey Papers, 833, Elgin to Grey, 28 June 1851.

[106] Debates, 1851, 1: 607, 609-10.

[107] Ibid., 612.

[108] Ibid., 574-5; Donald Beer notes that MacNab was said to have been offered a salary of £800. Beer, MacNab, 269.

[109] Debates, 1851, 661.

[110] MTCL, Shenston Papers, Hincks to Shenston, 7 July 1851, 8.

[111] Debates, 1851, 1: 615.

[112] Doughty, ed., Elgin-Grey Papers, 891, Elgin to Grey, 22 August 1851.

[113] Lennox and Addington County Museum, David Roblin Papers, 15024-5, James Ross to Roblin, 25 July 1851.

[114] MTCL, Baldwin Papers, Brown to Baldwin, 9 October 1848, 2-3.

[115] Careless, Brown, 139-40.

[116] MTCL, Shenston Papers, Hincks to Shenston, 25 July 1851.

[117] AO, Charles Clarke Papers, McDougall to Clarke, 26 July 1851, 1-2.

[118] Debates, 1851, 2: 1289.

[119] NAC, J.S. Macdonald Papers, 393, J.S. Macdonald to E.J. Barker, 27 December 1851.

[120] Ibid., 396-7, Charles Lindsey to J.S. Macdonald, 29 December 1851.

[121] NAC, LaFontaine Papers, #711, Hincks to LaFontaine, 15 September 1851.

[122] Ibid., #714, LaFontaine to Elgin, 26 September 1851, 3.

[123] Chief Justice Stuart died on 14 July 1853, and LaFontaine was appointed on 13 August - he had turned down earlier offers of lesser judgeships.

[124] Hincks, Reminiscences, 252-3.

[125] NAC, J.S. Macdonald Papers, 393, Macdonald to E.J. Barker, 27 December 1851.

[126] MTCL, Baldwin Papers, Ross to Baldwin, 17 September 1851.

[127] MTCL, Shenston Papers, Hincks to Shenston, 6 October 1851.

[128] Hincks, Reminiscences, 257, copy of Morris to Hincks, 6 October 1851.

[129] NAC, Buchanan Papers, 34034-5, McDougall to Cameron, 10 November 1852.

[130] MTCL, Shenston Papers, Hincks to Shenston, 11 October 1851.

[131] NAC, LaFontaine Papers, #720, LaFontaine to Ellice, 4-5.

[132] MTCL, Baldwin Papers, LaFontaine to Baldwin, 6 November 1851.

Chapter VI

HINCKS AND THE POWER OF INTEREST, 1851-54

The politics of interest came into play in matters of patronage and party. Hincks was attempting to build the Reform party- now the Hincksite party- through patronage and the appeal of development policies. While Hincks' expressed goal was to preserve the Union and the alliance with French Canadian Reformers, he was also constantly trying to keep the Upper Canadian section together, and indeed, to strengthen it, primarily through the acquisiton of middle-of-the-road, business-minded politicians, who were willing to put divisive questions aside and get on with the development of the province. To do so required a carefully crafted system in which friends were rewarded, enemies were placated or ignored, problems were dealt with expediently, and at the same time policies were formulated to make the most of the province's potential.

The drawing power of interest politics was quite evident in this period. Hincks set the tone for the province by securing a compromise with the advanced Reformers, as well as by appointing businessmen to his cabinet. During the 1851 election, Hincks managed to harness the moderates and most of the businessmen by campaigning for a continuation of moderate reforms and provincial development. Though he was not pleased that the Clear Grits took enough support away from government candidates to secure the election of some Conservatives, he was given a strong majority.

The party system in the early 1850s was in a fragile state. The united Reform party, formed by Hincks, Baldwin and LaFontaine in 1840, had undergone considerable transformation. The personal glue supplied by LaFontaine and Baldwin was gone after 1851, mainly because they could not adjust to the pressures of post-responsible government times. Hincks' first priority was to keep the ministry strong and in line. Nevertheless, as long as Hincks was in the government, he had an important role to play in selecting and removing other ministers. Hincks recommended the course to follow when Aylwin was appointed to the bench to make way for Baldwin's choice of William Hume Blake as Solicitor General. Hincks was involved in bringing Sandfield Macdonald into Blake's vacated position,[1] in orchestrating the resignations of Cameron and Merritt, and in edging out Baldwin, Price and LaFontaine. Hincks was also involved in bringing Joseph Bourret and John Young into the cabinet. Bourret, a prominent Montreal lawyer and businessman, was already a Legislative Councillor when he was asked to take over the Public Works from Jean Chabot in April 1850. John Young, Unitarian and friend of Hincks, had endeared himself to the ministry during the annexation crisis.

Though Hincks was concerned with the occupational background of his cabinet colleagues and seemed to prefer working with businessmen, his appointments were made in the context of his views on a balanced cabinet. By balanced, Hincks meant that both sections should be equally represented in the ministry: the system did not quite extend to equal representation for French Canadians, though they did make up the majority of the eastern section of the ministry. There must have been such an implicit understanding between LaFontaine and Baldwin, but as the former had been leader, French Canadians seemed more confident that their concerns were being fairly expressed within the government. As Hincks' influence grew, Joseph Cauchon and others became more worried. Hincks thus took an early opportunity to make his views explicit. He argued in 1850 that "in the present state of the country it would be impossible for any Cabinet to exist without a large amount of support from the other section of the Province...."[2]

The discussion took place when Malcolm Cameron gave his reasons for retiring from the ministry. Hincks intimated that Cameron wanted "to throw the largest number of offices into the hands of Upper Canadians exclusively." Cameron had suggested a rearranged cabinet with five Upper and three Lower Canadian ministers, and Hincks responded that he could never sacrifice the balanced system "for a trumpery saving...." Some chastised Hincks for "This balancing of officials, between U and L Canada, instead of taking the best qualified men"; but for Hincks, the principle of justice to the French Canadians, and of equal representation in both sections, was extended to the cabinet.[3] His efforts at cabinet-building were guided by this conviction - the appeal of interest politics to French Canadians would have been considerably weakened if they did not think that they were equal partners. There was also no lack of qualified individuals in both sections, men who regarded, as he did, the importance of the Union and developing the province.

The theme of management politics was raised in the last chapter. It fell to Hincks, the consummate politician, to get the party through the problems caused by the advanced Reformers. The acquisition of Rolph and Cameron strengthened the ministry for a time. When Hincks was asked to form a ministry in late September, 1851, he first got in touch with Morin, who had either changed his mind about retiring or was convinced by Hincks to stay. They quickly agreed "on a programme embracing the secularization of the Clergy Reserves, the increase of the Representation, the extension of the franchise, the abolition of the seigniorial tenure, the extension of the principle of election to the Legislative Council, and the encouragement of railway enterprises."[4] They then divided up the offices, of which there were eight, plus the Speakership of the Legislative Council. Hincks objected to the fact that Lower Canada would have five and Upper Canada four cabinet members if the existing arrangement was continued, and he claimed a fifth member for the western section to fill the vacant Presidency of the Council. They then consulted each other on the intricacies of offers and counter-offers. All the eventual ministers were happy with the appointments; however, Sandfield Macdonald, George Brown and many Clear Grits were not.

The Hincks-Morin ministry was fairly homogeneous- a kind of business oligarchy. Hincks had known all his colleagues for years and had worked closely with most. All were businessmen of one sort or another. This cabinet is quite a contrast to earlier ones, which were made up largely of lawyers. The first Executive Council after the Union was made up of six lawyers and three officials (professional civil servants) of whom only one, H.H. Killaly, had any business-related experience and his was limited. Hincks was in fact the first businessman brought into the cabinet- his experiences as a merchant, banker and journalist were quite different from those of his colleagues. The first LaFontaine-Baldwin ministry was made up of lawyers except for Hincks (the two leaders, Aylwin, Small and Morin). Similarly, the Draper and Sherwood ministries of the mid-40s were dominated by lawyers, though a businessmen, William Morris was made Receiver General, and W.B. Robinson and Peter McGill were members for a short time. Even the second LaFontaine-Baldwin ministry consisted mainly of lawyers, though it was becoming more acceptable for a merchant to join the cabinet- James Leslie, Provincial Secretary, was a Montreal merchant, and Malcolm Cameron, W.H. Merritt and James Morris were also businessmen. LaFontaine and L.T. Drummond were the exceptions among the legal officers, as Baldwin and Blake cared little for business. And the type of lawyers (R.E. Caron for instance) brought into the cabinet, though somewhat involved in the business community (J.H. Price and L.M. Viger had been bank directors), were not businessmen. We have seen, too, that this ministry was not generally development-oriented, or at least as much as Hincks would have liked: Baldwin seemed to put a damper on such proclivities. Thus, Hincks' ministry was made up of men who believed that his approach to party-building and provincial development was best calculated to take advantage of the prosperity of the 1850s.

John Rolph and Malcolm Cameron were the two cabinet representatives of the Clear Grit faction. John Rolph, though a doctor, had been President of the People's Bank (and Hincks' boss) in the 1830s, had been called to the Executive Council with Robert Baldwin by Bond Head in 1836, was a leader of the radicals in 1837, and after returning from exile had set up his own School of Medicine in Toronto. The Clear Grits had made him their leader in 1850, partly because of his old reputation as a radical Reformer. Hincks offered him a position in the cabinet to take advantage of Rolph's standing and oratorical abilities, and because Rolph was willing to pursue "a course of progressive reform...[and] to carry out the well understood wishes of the people...."[5]

His partner, Malcolm Cameron, nicknamed "the Coon", was a timber merchant who had had a chequered business and political career in Upper Canada. Though apparently offered the Inspector-Generalship by Sydenham in 1841,[6] he was not appointed until Bagot made him Inspector of Revenue on the advice of Baldwin and LaFontaine. He resigned his seat one year later over the proposed move of the capital from Kingston to Montreal. In 1848, at about the same time that he became Assistant Commissioner of Public Works, he was a promoter and director, with Hincks, of the Western Telegraph Company.[7] After parting with the ministry in late 1849, Cameron became a Clear Grit: George Brown remarked that he left because he had not been given the Crown Lands department, which would have been "a handy post, thanks to its control of timber limits, for any hard-working lumberman."[8] Hincks was concerned enough about the apparent conflict of interest (or rather the possible criticism that would have to be faced) not to give Cameron the Crown Lands in 1851.[9] He was, according to historian

J.C. Dent, a vigorous promoter of canal and railway construction and all public works for opening up and increasing the trade of the country[10]- that approach fit in well with Hincks' philosophy.

James Morris had been a merchant and cashier of the Commercial Bank of the Midland District in Brockville before the Rebellion, and was elected to the Assembly for Leeds in July 1837. He was appointed a commissioner for the improvement of navigation on the St. Lawrence in 1838, and held that post until the canals were finished. In 1844, he was appointed to the Legislative Council by Lord Metcalfe, even though he had moderate Reform opinions. In 1850, Morris was brought into the ministry as Postmaster General to handle the transfer of the post office from British to Canadian control,[11] and to oversee the distribution of patronage, as most post offices and postmasters were strategically chosen to do the most good for the party. Morris was also not beyond speculating in land where post offices or railroads might be built.

William Buell Richards, Hincks' choice as Attorney General, was also from Brockville. He was a prominent lawyer, made a Queen's Counsel by Baldwin in 1850, and he was secretary and treasurer for the Johnstown District branch of the Mutual Fire Assurance Company (the same company that Hincks had represented in Toronto ten years before). He was also a director, with Hincks, Cameron, and John Wilson, of the Western Telegraph Company, established in 1848. Not much comment was made on Richards' appointment in 1851, except to say that he would have difficulty filling Baldwin's shoes as Attorney General. Richards' elevation over John Sandfield Macdonald surprised some: The North American, which supported Macdonald's claim, reasoned that there was "not A MORE SUBSERVIENT TOOL [and INVETERATE TOADY]" than W.B. Richards- just the kind of loyal supporter Hincks needed.[12]

John Ross, too, was criticized by the Globe as "the prefecter in the Upper House of all Mr. Hincks's iniquitous proceedings in the Lower."[13] He was, however, a prominent Belleville lawyer and Reformer who had married Baldwin's daughter in 1851, and who had handled regional patronage matters since Baldwin had held Hastings County in 1841. For those services, Ross was made a Legislative Councillor in 1848. He was also the agent for the Montreal Fire, Life and Inland Navigation Company,[14] as well as being a warm promoter of railways. He was made Solicitor General West by Hincks, but did not have a seat in cabinet. He was later made a Government Director of the Grand Trunk, and when Richards was promoted to the bench in June, 1853, Ross was made Attorney General.

Another railway promoter was Joseph C. Morrison, Ross' successor as Solicitor General in 1853. He began his legal career as W.H. Blake's partner and dealt mainly with the commercial side of the practice. Before long he was actively involved in Toronto's business community, as vice-president of the York County Building Society and director of the Provincial Mutual and General Insurance Company.[15] More importantly, he was one of the group who began the Ontario, Simcoe and Huron Railroad Company (the Northern), and he became president in 1852. He had entered politics in 1848 but was defeated by York West Tory George Wright in 1851. At that point, Hincks offered Morrison his Niagara seat, and the latter was elected there on 25 September 1852. In the House, Morrison represented Toronto interests. He also became director of the Hamilton and Toronto Railroad, and through this branch, became Parliamentary agent for the Great Western in 1853.[16] He was sometimes called "the member for [railway promoter Samuel] Zimmerman."[17]

The eastern section of the ministry was also composed of businessmen. A.N. Morin had been a lawyer, newspaperman, author of the 92 Resolutions and a close supporter of LaFontaine. After the Union, in 1842, he came into the Executive Council as Crown Lands Commissioner. While in opposition in the mid-1840s, Morin became a director of the City and District Savings Bank, a vice-president and then president of the St. Lawrence and Atlantic Railroad, a director of the Montreal Mining Company and the Colonial Life Assurance Company.[18] After the 1848 victory, Morin preferred the Speakership to active politics, but his instinct to retire with LaFontaine was overcome by Hincks in late 1851. He retained his directorships and his interest in railways in the early 1850s while performing the duties of Provincial Secretary.

René-Edouard Caron was in the ministry primarily to keep the city of Quebec happy, and he was certainly too important to ignore. He was another prominent lawyer, had been mayor of Quebec on-and-off since 1834, member of the Legislative Council since 1841 and Speaker there from 1843 to 1847. He continued as Speaker under the LaFontaine-Baldwin and Hincks-Morin ministries. He was very interested in railways, particularly the Halifax and Quebec line, which would so help Quebec's interests. Another representative of the Quebec district was Etienne-Paschal Taché. He was a doctor, but had local business affiliations on his seigneury at St. Thomas de Montmagny and Kamouraska. Taché had been elected to the Assembly in 1841, and held his seat until he was appointed Deputy Adjutant-General for Canada East on 1 July 1846. He kept that position until after the Reform victory, when he was appointed Chief Commissioner of Public Works. Shortly thereafter, he was made a Legislative Councillor (23 May 1848), and he switched to the Receiver General's Office in November 1849. He continued in this office after Hincks and Morin took over in 1851.[19]

Montreal was represented in cabinet by two strong businessmen. Lewis T. Drummond, who was born in Londonderry, the son of a prominent Irish attorney, had risen rapidly through the Reform ranks after coming to Canada at age 12. He joined the bar in 1836, and by the early 1840s, he was LaFontaine's Montreal lieutenant. In 1851 he was promoted from the Solicitor Generalship to the office of Attorney General East. He had long been involved in the political and financial life of Montreal. He and LaFontaine had been joint owners of a large block of houses and stores in the city, and he had been a founding director of the City and District Savings Bank,[20] solicitor to the Canada Life Assurance Company,[21] as well as a promoter of telegraphs and railways. In 1845, he was a shareholder in the Societé de Navigation de la Rivière Richelieu, and two years later had shares in the St. Lawrence and Atlantic Railroad. He was also a founder of the Garden River Mining Company. Later, he was president of the Stanstead, Shefford and Chambly Railroad Company.[22]

John Young was a thorough-going businessman, a Unitarian and friend of Hincks since at least 1844. He refused when first asked to join the ministry in 1851, saying that he was "actively engaged in business" and "the sacrifice to him was too great...."[23] Young was a promoter, director, and by 1851, vice-president of the St. Lawrence and Atlantic Railroad. He also promoted the Ottawa and Grand Junction line from Lachute to Prescott, although it ultimately failed,[24] and the Caughnawaga canal linking the St. Lawrence with Lake Champlain. In 1850, he was appointed to the Montreal Harbour Commission (he was chairman in 1853), where he "mixed public good and personal gain." Young was also an active promoter of ocean mail steamers, a transatlantic telegraph and free trade. He fit in very nicely with Hincks' views on development, believing "that the prime role of the state was to improve the climate of enterprise by building the necessary facilities, providing assistance for others, and following the 'right policies.'"[25] Hincks and Young would seem to have been perfectly matched, and that is perhaps why problems developed.

Hincks strenuously defended Young's entrance to Joseph Cauchon on 3 November 1851, as Cauchon objected that French Canadian influence was lessened when Young replaced Bourret at Public Works. Hincks pointed out that Young's appointment was ample evidence to convince "the commercial classes of Montreal and Quebec...that there was every desire on the part of the Government to afford the means of representing their wishes [and demands] in the most satisfactory manner...." He noted that Young was well-known in all parts of the Canadas, as well as the United States and England, "His political views are known to be quite in harmony with those of the Administration, and he certainly is peculiarly qualified for the office which he has consented to take charge of."[26] Development policies were thus the most important consideration. Young finally accepted the position when told that he would be better able to carry out his views on public improvements and other matters in the ministry than outside it.[27] Indeed, just a few months before, he had received a commission of £4,200 for acting as agent of the St. Lawrence and Atlantic and placing £400,000 in company bonds on the English market. Hincks helped improve their value by getting the House to extend the provisions of the Guarantee Act "to the principal as well as the interest of the bonds."[28]

George-Etienne Cartier was widely expected to be Solicitor General East, an appointment that would have strengthened even further the business background of the ministry. However, Cartier declined to accept the post, possibly for the same reason that he turned down the Public Works portfolio in September, 1852: he said that "the acceptance of this office would have been a personal sacrifice" because the salary was so small and because he would not have had time for his legal business.[29] P.J.O. Chauveau was chosen instead. He was a Quebec lawyer and man of letters who was nevertheless a director of the Quebec and Melbourne Railway.[30] Chauveau was made Provincial Secretary in August 1853, and Dunbar Ross was brought in as Solicitor General. Ross was born in Ireland, though he studied law in Lower Canada and joined the bar in 1834. In 1850, he was the solicitor for the Quebec branch of the Bank of Upper Canada and a director of the Quebec Building Society.[31]

Thus, Hincks' cabinet was made up of business-minded ministers, all of whom seemed to be quite interested in promoting provincial development, particularly railways. Hincks had carefully chosen those men he thought would best be able to carry out his strategy, bringing in a man like Richards when Sandfield Macdonald considered that he had greater claims on the Attorney Generalship. The cabinet was not weak, but it certainly consisted of men Hincks could manipulate. The Clear Grit leaders were there because Hincks knew their strengths and weaknesses intimately. In any case, he, along with Ross, intended to keep them "muzzled"- if some of the more radical Reformers did not see the benefit of Hincks' development policies, at least they could be kept in line by arguing that their leaders were in a position to influence policy, though they had no real power.

As we saw in the last chapter, Hincks had decided by 1851 that the Reform party could not last much longer. Before that end arrived, Hincks' had an election to win and railway projects that had to be set in motion. Other questions, like secularization of the clergy reserves, abolition of seigneurial tenure, and increasing the franchise were important, but secondary. Even they were superceded in late 1853 and early 1854 by Hincks' concern with reciprocity, British North American federation and defence. In any case, Hincks was ready to test his reformed party's popularity.

Business values were not just important at cabinet level. Hincks was also trying to build a business-minded, if not business-based, party. Thus, in the period leading up to the general election, he was quite concerned with party unity. One way of ensuring unity was to encourage businessmen to stand for elections; another was to run an efficient party organization at the local level. Such organization tended to be more visible during an election than at other times. Hincks does not seem to have used local strong men the way Baldwin and LaFontaine had, nor is there much evidence of the type of strategy that was so prominent in the period from 1839 to 1841. One must assume that such planning and groundwork were still being done, because Hincks was usually successful in getting out the vote. There were ministerial dinners, calculated to rally support for the government, but they seemed to be used in the period between elections. There were also caucus meetings, held when the members arrived in Quebec at the beginning of a session. But there does not seem to have been a "whip" system, which might have been critical in the Assembly votes of June and September 1854. However, a case study of Hincks and the 1851 Oxford election shows how important interest politics were at the local level.

During the 1851 session, there had been rumours of a coalition and of MacNab being offered some position by the ministry. LaFontaine and MacNab both denied the whole idea, but MacNab explained that "Perhaps the rumours were owing to the manner in which he had been mixed up with gentlemen opposite in the matter of railways; and because of that he would give the gentlemen all the support in his power to enable them to carry out their plans in regard to railways." Further, he added that he would support their "every good measure...and he believed that of the gentlemen with whom he acted."[32] MacNab's affinity to Hincks on railway matters, and to any other "good measures" for the province's development, was reflected in the Oxford election campaign of late 1851. Hincks was having problems there - Reform voters in many ridings were establishing platform conventions (a Clear Grit innovation) and requesting that prospective candidates sign a pledge to abide by the platforms, or resign their seats if a two-thirds majority of the convention wished them to. Hincks rejected the convention as unconstitutional,[33] and asked the freeholders of Oxford "to sanction the Government with which I am connected,-the composition of which ought to be a sufficient guarantee to the people that measures of Reform will be steadily carried out."[34]

George Brown and W.L. Mackenzie had their friends and supporters in Oxford reporting on the situation there: Brown visited the county in September, and though he "could get no support in the South or East", the "Woodstock disaffected" were a problem.[35] Many of the disillusioned believed that Hincks had not appointed enough Reformers and was a little too cozy with the Lower Canadians at the expense of Upper Canada. Many Reformers, too, were disgusted with Hincks after J.G. Vansittart (whose actions had made Hincks so angry in 1848) was allowed to stay on as a magistrate. Hincks had made twenty-five other appointments in the 1849 commission, and they were presumably acceptable; but Vansittart was a prominent Conservative. On reflection, Hincks must have realized that cunning was more effective politically than spite. Shenston commented that disgruntled Reformers in this case were looking "at the crooked leg, but cannot see the three straight legs."[36] Hincks' appointments apparently paid off, as three-quarters of the 78 magistrates in Oxford (thirty of them appointed by Hincks) were loyal in the 1851 election.[37]

In October, Malcolm Cameron promised Hincks that he would see a few Oxford Reformers. Hincks in turn asked Shenston for "the names of the opposition that Rolph's influence may be brought to bear & Camerons also."[38] Rolph did write Shenston a letter to urge upon Oxford Reformers "unity and honesty at the approaching elections", saying that "the reconciliation of Reformers...has been effected, with the reconstruction of the cabinet in a way intended to conciliate public confidence and justify as far as possible the public expectations...."[39] Nevertheless, the outcome was by no means certain, and there were rumours that "MacNab was preparing Hamilton as a safe constituency for Hincks."[40] This development would have been very startling a few years before, but the two got on very well in 1851.

Hincks may have been responding to such rumours when he wrote Shenston on 30 October "not to believe any reports about me & least of all those raised by Mr Geo Brown who is tryg to destroy the entire party. I am a candidate for the Co of Oxford let the delegates appoint whom they please. All Dr Rolphs real friends must support me."[41] Perhaps as a means of solidifying Shenston's support, Hincks asked him to "act as Census Com[missione]r for the Co Oxford", a position which paid a small fee. John Ross also wrote Shenston with some good news, saying that two prominent Scottish ministers had pledged their support for Hincks "to defeat Mr Browns machinations." Ross said that if County Warden John Scatcherd was going to stand against Hincks, "he must be denounced as a renegade like George Brown & attacked in every possible way as George Brown's tool." Ross concluded that the Clear Grits could not keep Hincks out of Parliament "but they may succeed in electing Mr Vansittart for Oxford & if a tory is retd in the same way for London- for the North Riding- for Price's Riding &c they can easily place the Tories in power as George Brown seeks to do."[42]

The connection between business, railways, and politics has been supplied by James Kintrea. He was a general store owner in Woodstock who had not been made a JP, and was part of the convention that believed "Hincks must not be tolerated any longer in Oxford."[43] He wrote W.L. Mackenzie that since Reformers in the county did not want to let Vansittart be elected, they had settled on putting up either William Carroll, Eliakim Malcolm or John Scatcherd. Kintrea implored Mackenzie to come to Woodstock, expenses paid, to add his voice to those who opposed Hincks. Then, nine days before the nomination, Kintrea reported that "Influences, base as they are unprincipled are being made use of to secure the return of Hincks" He explained that "Tory merchants in Hamilton in connection with Great W Railroad, are writing to all the storekeepers that they can influence to vote for him and exert themselves with their customers...." With McDougall "canvassing for him", and Hincks "doing all he can", Kintrea thought it would require a concerted effort to win. Though he assured Mackenzie that "None support Hincks thoroughly but place hunters", he thought that by Hincks' defeat "a salutary lesson would be given by which in the after history of Canada, all expending moneys would pause and reflect upon the consequences of their departure from the principle of right."[44] Hincks' interest politics seemed to be paying off: the lure of the railway attracted businessmen, even Tories in Hamilton, and they appealed to local businessmen in Oxford to work for Hincks and against Brown and the Clear Grits.

Kintrea's opposition proved ineffective, as was that of Scatcherd, even though the latter's campaign sheet was quite damning: Hincks was criticized for being a traitor to Reform, for betraying Oxford Reformers' "dearest interests" on the Marriage Bill, Rectory Bill, Clergy Reserves Bill, for turning out Merritt and Cameron, supporting sectarian schools, dividing the county, and extravagently spending taxpayers' money.[45] Mackenzie did not go to Oxford, "havg divided my attentions between Baldwin, Price, the Voter's Guides, &c", where he was quite effective.[46] Mackenzie did say that "Mr. Hincks could just as easily have been routed in Oxford as Mr Baldn was in York", but that was mere speculation.[47] The movement does indicate that there was a growing distaste of buying votes.

Hincks toured the county in mid-November but rumours followed him: both H.H. Killaly and Mrs. Hincks telegraphed from Quebec on 27 November asking if Hincks had met with any accident- the papers had reported that he had fallen from his horse.[48] Hincks also paid part of the cost of setting up the Western Progress and commented that Laycock, owner of a general store, JP and new publisher, "should do something towards Mr Landon's salary if he gets the official patronage which he will get- It is ridiculous in him to expect to get an Editor without paying."[49] Hincks' support was thus further solidified by encouraging local businessmen to support a new Reform paper.

Though Hincks was confident of Oxford, he made certain that he would be returned by also standing for Niagara. As it turned out, Hincks was returned for Oxford: Scatcherd did not show up on the nomination day and Hincks was the only Reform candidate, winning in the end by 79.[50] On the whole, Hincks seemed to be popular among the Oxford merchants, and perhaps the Hamilton merchants played an important role in edging them towards supporting Hincks' development policies: there is no evidence other than the letter from Kintrea. Also, Hincks was acclaimed for Niagara, though he gave that seat up for J.C. Morrison on 7 September 1852.[51] As a reward for Shenston, Hincks promised to watch for an office for him and "that so far as my influence goes it shall be given not to soothe the refractory but to those who have worked as you have done."[52]

Elsewhere in the western section, Baldwin was defeated in his bid for reelection by businessman J.W. Gamble, and this led Hincks to assign some of the blame to W.L. Mackenzie. He argued that such a policy was "suicidal", because Baldwin would have had no influence and would have done "no harm"; indeed, "His support to a more progressive Governt would have been a tower of strength...." However, Hincks thought that the party had "lost his influence...with vast numbers in the Province. He is the type of a class. There are other cautious slow judging men in the Province as well as him & all these will probably be turned against us."[53] Hincks also suggested that Mackenzie and Lesslie were responsible for the Reform losses in South and West York, Peterborough, Middlesex, Lanark, Welland and other counties, or "So at least many think":

> For my own part there are so many combinations of cause in these cases that I hardly know what to think except that the Tories have done more than I expected- You & Mr Brown appear to wish to have them in power at least he does & you play the game to bring them in. Of course if the L Canadians combine with them & you want to free them to do so they will govern the Country long enough. Be it so.[54]

He concluded by saying that "if every man who has voted the liberal ticket in U Canada at last election were polled for you or me I could beat you 3 to 1 at least": "I don't desire to break up the party which is weak enough at best & I shall continue to blame those who do."[55]

In the general election, the Hincks-Morin Reform party won fifty-seven of the eighty-four seats: Canada East returned thirty-six Liberals and six Conservatives; Canada West, twenty-one of each.[56] But the Pilot's division of members into Liberal and Conservative camps- there were categories for Rouge and Doubtful members but none listed- is too simplistic. Paul Cornell has documented the activities of the advanced or ultra-Reformers in both sections, what he called the reappearance of "left-wing reform opinion with something of the spirit of the late 1930s."[57] They believed that the government was not liberal or democratic enough, and criticized its finances and the prevailing system; they were certainly becoming a vocal, if not influential, wing of the party. George Brown, W.L. Mackenzie and Sandfield Macdonald were prominent, although Macdonald's influence was restricted somewhat with his appointment as Speaker. Cameron and Rolph had seven followers (Christie of Wentworth, Fergusson of Waterloo, Hartman of York North, McDonald of Cornwall, Rose of Dundas, White of Halton and Wright of York East) in the Clear Grit faction. According to Cornell, the moderate Reform followers of Hincks included Richards of Leeds (later DeLong, after Richards' elevation to the bench in 1853), Johnson of Prescott, Mattice of Stormont, Merritt of Lincoln, Morrison of Niagara (who succeeded Hincks on 25 September 1852), McLachlin of Bytown, Patrick of Grenville, and Smith of Durham.[58] This rather small group, however, could count on the support of twenty-nine French Canadian Reformers and seven English moderates or Liberals, although Cornell argued that dissatisfaction in the Reform ranks undercut the strength of the ministry.[59] Mackenzie, for one, perceived that large majorities could not last forever in a letter to Jacob DeWitt:

> If reform look prosperous and get to be fashionable at Q'b'c we may do some good there- but legislative majorities dont count trouble and personal inconvenience if they can help it. Majorities dwindle down at sight of danger. Who's responsible & to whom?

He concluded that "it is not unreasonable to infer that if an English ministry inimical to liberty is found in office next Sept., and reform at a discount at Spencer Wood,[the Governor General's residence] (and I hope it will not be,) our grand majority of 1851, Decr., will wane a little...."[60] It seems that Mackenzie agreed with Hincks' pre-election opinion that the party was doomed.

Once the House did meet, some thought that its character was different from past assemblies. Interest politics seemed to be having an effect. Civil servant G.B. Thomson mentioned to Charles Clarke on 24 August 1852 that of the "very large infusion of new members in the House", many Conservatives "are very liberal in their views, and not very strongly bound by party ties- some of them have told me that they should support such measures as they regarded for the benefit of the Country without regard to the party by whom they are introduced."[61] These differences in the Conservative party are perhaps one reason why John A. Macdonald was so worried about what Hincks was doing-after edging out Baldwin and LaFontaine- he feared that Hincks would try to appeal to both the Clear Grits and moderate conservatives, men who, like MacNab, were interested in provincial development. However, at this stage, there appeared to be no threat to the Reformers. Thomson told Clarke that after an Upper Canadian Reform caucus on 20 August, "A full understanding was established, and everything arranged satisfactorily...It is anticipated that the govt will have a strong majority- say twenty or twenty five on all their measures."[62] Thomson's confidence about the ministry's goal to pass popular legislation - the reserves and rectories in particular - was shared by many, but there were a number of people who anticipated coming changes.

Some so-called Reform members, such as Brown, Cauchon, Mackenzie, Papineau and Prince, made it clear that they would follow an independent course, supporting the government's good measures and denouncing the bad. Most, though, were businessmen or professionals who adhered to the Reform party because it was best calculated to carry out progressive reforms- secularizing clergy reserves, ending seigneurial tenure, building railroads, promoting better trade relations with the United States, and increasing the representation. It is interesting, however, to look at the background of those who supported the ministry. French or English, all had business interests: eight were merchants;[63] six were lumber merchants;[64] twenty were lawyers;[65] thirteen lawyers had other business interests;[66] fifteen supporters were railway promoters;[67] six were doctors;[68] five were notaries;[69] three were seigneurs;[70] three were large farmers;[71] and two were mill-owners.[72] A business background did not necessarily make these men supporters of the ministry. Some even attached a lesser priority to development policies than to political or religious questions, such as an extended franchise, an elected council or secularization of the clergy reserves. Nevertheless, they were drawn to the House by a desire to promote the province's interests, and if their own could be improved as well, so much the better.

When the House met on 19 August 1852, fifty-five members supported the ministry's choice of J.S. Macdonald as Speaker (23 against), and the government continued to get strong support in the debate on the address to the speech from the throne. The speech itself contained the ministry's proposals for the coming session. The first sentence asked that members unite "for the promotion of the interests of the Province."[73] The speech noted that the province was prosperous and quite tranquil, that "Provincial Securities continue to rise steadily in value, and the Returns of the Census recently completed, furnish the most satisfactory evidence of the advancement of the Colony in wealth and population." The speech referred to the need for more post offices, a decimal system of currency, the construction of a railway to the Maritimes, enhancing the value of bonds issued on the credit of municipalities, and establishing a direct steam communication with Britain. It referred also to the fact that the British government had not repealed the statute governing the clergy reserves, and hoped that the Assembly would look at increasing the representation and end the grievances that "exist under the Feudal Tenure that obtains in certain parts of Lower Canada." There were two amendments to the address in reply to the speech, one on the clergy reserves and the other on the feudal tenure, and the government voted them down by majorities of 47 to 16 and 44 to 19.[74] Thus, the speech was most concerned with measures calculated to enhance provincial development and to eliminate obstacles to that end. The members, except for those whose interests were being overlooked, generally supported the ministry on questions of provincial development.[75]

The Conservatives were also a fairly cohesive group under the leadership of Sir Allan MacNab: there were twenty-three in all, twenty from Canada West and three from Canada East. Yet W.H. Boulton, Henry Smith and John A. Macdonald each took a more active role in the House than MacNab. Of the twenty-three members, the occupations of four cannot be accounted for, but the rest were predominantly lawyers with business connections[76] and merchants.[77] Of the remaining five, there was a president of the Brockville and Ottawa Railway, a mayor of London, and a gentleman farmer.[78] In their make-up, therefore, the Conservatives differed little from the Hincksites, and one, Irishman and Lanark MP James Shaw, "was recalled as 'Liberal in his opinions and broad in his view of public questions....'"[79] These similarities underline the fact that development politics were pretty unanimous and explains why the Conservatives did not generally oppose Hincks' development schemes, though they may have differed on other questions.

MacNab, as leader of the opposition, criticized Hincks for not explaining the changes in the ministry that had occurred in 1851, but he did say that he would support the speech from the throne except where it regretted the lack of imperial legislation on the clergy reserves.[80] Macdonald spoke much later in the debate, but took the same line, asking Hincks "why he threw overboard his old friends [Baldwin and LaFontaine] and forsook these conservative principles in consequence of which that his (Mr. McDonald's) side of the House rendered them some support." He noted that one Reformer had called the old Reform leaders a "drag" on Hincks, one that prevented him from carrying out "progressive reforms."[81] He called Baldwin and LaFontaine the most honest and upright men, and chastised Hincks for his union with Cameron, who had had earlier differences with Hincks. Macdonald charged "that there was no principle in common among the members of the administration except the [immoral] desire to hold office...." Though this speech was probably little more than rhetoric, an attempt to put some distance between Conservatives and the dishonest Reformers, it is perhaps indicative of Macdonald's fear that his party was less of an opposition than other critics.

Many of those who saw signs of treachery in the ministry coalesced around the vocal opposition- Mackenzie and Brown in the House, McDougall and Clarke on the outside. The correspondence to these men reveals much dissatisfaction with current events and shows the breadth of opinion within the Reform ranks. John McIntosh of Toronto wrote Mackenzie on 26 September 1852, "asstonished [sic]" that Rolph opposed "the Electing of Sherrifs and other County officers". He praised Young's resignation and concluded that "Mr Hincks would sacrifice the Intrest of Upper Canada to the Lower Canadians in order to keep in with them...."[82] McIntosh's view was representative of a minority in Upper Canada who thought that Hincks was too tied to Lower Canada and was sacrificing Upper Canada- Brown and Mackenzie emphasized this opinion continually as part of a general anti-French, anti-Roman Catholic stand.

William McDougall also expressed his distrust, although as yet only privately. He was tied to the Hincks government by the Clear Grit deal. He warned John Rolph in December 1852 that grasping politicians, like Malcolm Cameron, were harming the party, as were appointments of Tories like Henry Smith. Hincks was evidently pursuing his goal of bringing Tories into the fold. McDougall did not like Brown, and was "glad to find" that he was "being understood and that his efforts to stir up religious bigotry and rally a party in Upper Canada are not very successful." McDougall was rather philosophical about the "Cathedral Bill", which Brown opposed, saying that while no Upper Canadian Reformer could defend the bill, Lower Canadians should not be prevented "from passing such laws as they desire...." Still, he thought it "a capital subject for influencing the prejudices of the fanatical in U.C. & Brown and Lesslie, both of whom the present Govt has pampered, will make the most of this Cathedral Bill to destroy that Govt."[83]

McDougall was also quite pessimistic about the near future. He wrote Charles Clarke that Hincks was trying to establish an Irish government in Canada. He did not go into much detail, but he did relate the news that "A private meeting was held here the other day between Bowes, Gowan, Hogan & other orangemen and Donlevy,[84] Haliman & other Catholics to determine on future joint operations":

> Bowes gave the other day £250 to the Orange Lodges a part of the £10,000 share I suppose & it is said by parties who ought to know that he [Bowes] had a promise from Hincks that if he could get elected a third time to the mayoralty he should be called to the Upper House.[85]

No other evidence appears to support this speculation. However, to McDougall, there were obvious worries that so many Irishmen- Hincks, Drummond and Ross- were in important cabinet positions, and who were, because of their origin and temperament, more willing to let the French Canadians have their way. These fears increased after Dunbar Ross and J.C. Morrison were made Solicitors General, and after reports of such meetings between orangemen and Catholics with Hincks lurking in the background.

In the meantime, Hincks was keeping quite busy. He oversaw the day-to-day running of the government, attended council meetings at least once a week (more frequently during the session), and was a much-sought-after speaker when the House was not sitting. Politically, affairs were rather quiet when the House resumed in February 1853- the cholera scare of the preceding November had died down. One observer, Alexander Cameron, wrote that all the ministers "seem to take things very easy": "The responsibility of Govt seems to be lightly upon all of them except Hincks, who I presume from what I hear is obliged to do everything."[86] There is no corroborating evidence for this statement but Hincks was a hard worker, and if he did supervise the departments as well as his own office, he was undoubtedly very busy. There were also some minor personality problems to deal with but everything was smoothed over and cabinet solidarity remained intact. The time-consuming matters were routine,[87] but Hincks was also chairman of the Board of Railway Commissioners and a government director of the Grand Trunk.

At the same time, rumours persisted that changes would occur very shortly. The Tory St. Thomas Weekly Dispatch thought that Baldwin would be brought back to prop up the ministry.[88] It also criticized what it called the "combination ministry" on April 12, saying that Hincks knew something had to be done to unite the "old School Rads" and the Clear Grits so as to secure "the spoils of office...." The paper did not think that such a ministry "formed like 'Jack's coat of many colours'", could last long, and even Hincks' "traps, treachery, and strategems" could not avert "the storm evidently gathering in the political atmosphere."[89] This view of interest politics is perhaps overstated, but the power of government was obviously important in securing and maintaining support. George Brown was most concerned with the spread of papism and he wrote through the spring about the "subserviency of Upper Canadian members". Hincks, Brown admitted, was more moderate than his colleague Cameron ("...when a dirty dive is to be taken, Cameron always goes down deepest"), but Hincks was misleading Canada West when he said that it was not subservient to Lower Canada. Brown also did not believe a telegraphic report from the Quebec Morning Chronicle of 21 March that there would be a new Tory government. But in early April, the Globe published an editorial on the "Coalition Government", saying that many in Quebec thought that changes would soon be made in the cabinet, and arguing why the Upper Canadian Reformers could no longer stay in a coalition with the French Canadians. On April 21, there was an editorial on the approaching "General Election".[90]

Even after Hincks' denial that a dissolution was imminent, neither the St. Thomas Weekly Dispatch nor the Globe believed him. The ministry's "weakness is every day becoming more and more apparent, and the slender ties which bind the incongruous materials of which his majorities have all along been constituted, are so nearly rent asunder, that it is more than probable, say, it is actually certain, that a dissolution would be eagerly accepted by their unprincipled Clear Grit and French sycophants."[91] Brown argued that something more than the defeats was causing the weakness: there were rumours that Hincks would leave the government and accept the presidency of the Grand Trunk; Richards would be promoted to the bench; and the other ministers could not survive long after such departures.[92] Brown had no solution, but he was certain that the dishonest ministry had had its trial and been found wanting, "and there are few who will repent their fall." Hincks was also seen as teaching his followers the art of chiselling.

The reconstruction was announced in late June, with Richards going to the bench and replaced as Attorney General by John Ross; Caron was also given a judgeship on August 15; Morris was made Speaker of the Legislative Council;

Cameron Postmaster General; Rolph President of the Council and Minister of Agriculture; and Sicotte was offered but refused the Crown Lands. Brown argued that though he "thought it was impossible for the Government to make themselves more unpopular than they were two days ago", they had succeeded.[93] When Sicotte's refusal became known in early September, the Globe made much of that as well.[94] It also necessitated another shuffle, on 31 August and 1 September, with Morin taking over the Crown Lands himself, and both P.J.O. Chauveau and Dunbar Ross were elevated to office, the former as Provincial Secretary and the latter as Solicitor General East.

All these manoeuverings took place amid the summer travels of the ministry. The ministerial dinners were part of an organized effort to trumpet achievements and build support. Opposition to the government was stirred up by Brown and Mackenzie, although there was no serious problem yet. William McDougall was still on side, even though he was privately in an awkward position. The dinners were thus not a pessimistic, last-ditch attempt to bolster support or keep it from eroding: the ministry was quite optimistic about its future and pleased with its accomplishments. The Grand Trunk and other railroads assisted by the government were very popular, and nothing had yet occurred to dampen the "railway spirit". There were few areas that could not expect to be served by a main or branch line, so few were unhappy with this aspect of development. The dinners, it is true, were primarily centered in western Upper Canada, though there were large affairs in Quebec, Montreal and Ottawa. But much of the influence of the cabinet depended on the western section- Hincks from Oxford, Cameron in Huron, Rolph in Norfolk, and the Clear Grit strength was in this area as well. Thus, these three decided that a show of activity and public support would help fill in the summer months as a prelude to an election that everyone knew would take place in the near future.

There was also considerable trumped-up controversy about the dinners - whether they were spontaneous local affairs to honour the ministry, or whether they were arranged on orders from "Head Quarters".[95] The Globe was apparently surprised that anyone should want to give a dinner to the ministry, and announced, in an editorial entitled "A Dinner at Last", that one was to take place in Berlin on 5 July.[96] Later in the month, Brown renewed his sarcastic attacks on ministry dinners:

> The dinner on the Ottawa was a no party affair, that at Berlin was got up by the office holders, and was not attended by Reformers generally, that at Woodstock was a railway dinner, not pledging the guests to the support of anything, those of Brantford [July 21], Simcoe [July 23] and Goderich were small and insignificant in numbers, while in Port Sarnia, but few of the people present belonged to Sarnia, the rest were the scrapings of Chatham, Detroit and Port Huron, with Mr. Malcolm Cameron's immediate friends and dependents.

He concluded that they had "not been numerous or important enough to give any indication as to the actual state of public feeling, even supposing them to come from disinterested parties; but dictated by selfish feelings they become of even less importance."[97] Despite the Globe's attempts to downplay the effectiveness of the dinners, the Reform journals were pleased with the affairs. These dinners provided an opportunity for Upper Canadians to praise or criticize Hincks and the government.

One particularly good example of the drawing power of interest politics was the conversion of the St. Thomas paper to the Reform cause.[98] It published a favourable account of the London dinner of July 27, when 350 gathered to honour the ministry, including "the strength, influence, and respectability of every shade and section of the great Reform party." Hincks and Rolph spoke at the meeting, the former clearly refuting the point that the dinners were "got up" rather than spontaneous. He asked his audience if the government had been "a stand still one", and catalogued the achievements that had been made, saying that if he and his colleagues did need vindication, "they could turn to the statute book-there would be found the Railway Act-the Municipal Act-the Roads Act, and many other measures which commend themselves to the good sense of the country at large irrespective of party."

Hincks seemed to be reaching out beyond Reform supporters in this statement, going out of his way to argue that his measures were not tied to the party and that they had benefited the entire country. He added that the government had not sought "class legislation" in their measures: "The opponents of the government were as much benefitetd [sic] by them as they were themselves."[99] His reference to "class" legislation was quite loose, in keeping with mid-Victorian usage, and capable of being interpreted in different ways. The criticism may have been that his government's legislation was benefitting a certain class, as narrow as the English railroad contractors or as broad as the entire Canadian commercial community, at the expense of the less-privileged. But he turned the word around and pointed at those who wanted to protect another kind of class, one with vested religious interests, naming Brown and his anti-Romanists or the Conservative Anglicans.

As far as railroads were concerned, Hincks noted that "no part of their policy had met with so much opposition, had brought down upon them so much uninterrupted obliquy", but "some $40,000,000 would be expended, one fourth of which only was guaranteed by the Province, and then to cover that guarantee they had the first mortgage on the road...." He was deflecting criticism of development measures, and saying that divisive questions should be set aside. In any case, he argued that the opposition benefited quite as much as the Reformers, and that the country certainly gained by the railroads being constructed across the province. His speech was greeted with "Tremendous cheers."

G.B. Thomson wrote to Charles Clarke that the ministry was satisfied with the public demonstrations: they "have seen the people and the people have seen the ministry and the opinions wishes and intentions of the different parties are known & understood and that is a great deal."[100] Thus, the dinners were an expression of the ministry's confidence in its record. During their travels, they had stressed their achievements in developing the province and promised action on other questions of interest. The ministers also reassured the country that everything was going well and solicited what they regarded as well-deserved praise. Finally, they sought to impress their friends in the various localities, and to get them in fighting spirit for the next election.

There is further evidence of the battle for the Conservative vote among Reform adversaries. Quite a bit was made about the conversion of John George Vansittart in the summer of 1853. Vansittart and the Woodstock British American rejected Brown and chose to support Hincks, mainly because of Brown's religious intolerance. Brown naturally argued that Vansittart had no convictions, but was "a man of expediency; a losing cause would never find a defendant in him." Vansittart had "undoubtedly looked around, as many other conservatives have and are doing at this moment, for a new state of political existence, and after examining the different parties in our political world, he fixed on that of Mr. Hincks as that which would pay him best and to which, of the paying parties, he had perhaps the closest affinity."[101] However, the British American's report explained that Vansittart's views coincided with those of Hincks on all major questions, and rather than continue to oppose the government, he would "ally himself to those who approach nearest to the standard of his own views." There would be, the paper went on, minor differences of opinion, but Vansittart now believed "that the political principles, which he has uniformly maintained [as a Conservative..he was never otherwise than liberal], are more consistently represented by Mr. Hincks' Government, than by any other political compact to which he could attach himself."[102] The *Dispatch* cordially welcomed Vansittart to the Reform fold. The liberal Conservative was born, a product of the politics of interest.

While the summer push for support had led many to believe that an election was imminent, it was known by mid-August that it had been put off for a while.[103] The summer ended quietly enough, but the fall consisted of one revelation after another of ministerial corruption. The £10,000 Job in particular put a severe strain on the government, as Rolph did not attend any council meetings between September 14 and October 17. He went west and many thought that he would not go back to Quebec: Alexander Cameron reported to A.N. Buell that Malcolm "Cameron sticks to the ship and thinks no blame is attachable to Hincks", though he commented that he wished everyone thought the same for the sake of the party.[104] Perhaps because of the bad publicity in the fall, the election was put off longer, although the Reform papers minutely criticized the Brownite anti-ministerial dinners (in Cobourg, Galt, Zorra, Chatham, Sarnia, Goderich and Toronto) by saying that many Tories were in attendance "not because they sympathize with his sentiments...but because he is deemed a good card to play against the ministry."[105] Whatever the reason, it was known by mid-November that the government was going to call an election on the clergy reserve question[106] so that the enlarged electorate could express their wishes. First, though, a last session would be held to increase the franchise.

There was considerable anticipation about what would happen when the House met, and much disappointment when the meeting was delayed by the absence of Elgin, then Hincks, and the loss of the Parliament buildings in the fire of February 2. Hincks had no reason to delay the meeting for political reasons, though he did fear that "owing to the *apathy* of really moderate & right thinkg friends of progressive reform & of secularization the contest...should be between men of Mackenzie's peculiar stripe...and the ultra Tories." He thought that the "moderate men" would throw their weight into the Tory scale & then do much injury to the country", as had happened in 1836.[107]

Hincks was somewhat worried about the future but was evidently busy trying to shore up support. The ministry held together through the spring of 1854, and various members were writing past supporters that their policies were the best thing for the country.[108] Donald M'Leod, from the Patent Office, was writing to Mackenzie and others that the ministry "are sincere [on the clergy reserve question] and are cooperating with the utmost harmony, and have mutual confidence in each other." He explained that Elgin was the one who had had "scruples" after the representation bill had passed, and did not think "the present House could constitutionally secularize the reserves, pass any law, or legislate on any measure whatever, until the country was fairly represented under the new increase [sic] representation law."[109] The information apparently convinced Mackenzie, as he wrote his son on March 6 that Hincks was off to London, and that "He and Rolph get along together and understand each other."[110]

Nevertheless, the delay probably hurt the government more than it helped, as it gave the opposition more time to criticize and organize. And with Hincks out of the country from February 25 to early June, he could do little to stem the rising tide. Even his departure caused considerable speculation: Hincks was going to speculate in stock that would be depreciated by the Crimean war panic; or he was going to meet Elgin to arrange the seat of government and the clergy reserve question; or he was going to be knighted along with LaFontaine (who was made a baronet in mid-July along with Chief Justice Robinson of Upper Canada); or, he was going to work on "effecting a very extensive alteration in our Colonial status"- a union of all the provinces.[111] Hincks later said in the House that he had not gone "to England on public business or at the public expense; although he was most anxious to have the Legislative Council question pressed to a decision."[112]

Perhaps the highlight of Hincks' visit was the London banquet for Lord Elgin on April 6. Lord John Russell presided over the evening, attended by the current and four previous Colonial Secretaries, many London merchants "connected with the trade of Canada" (including Robert Stephenson), the American ambassador, Chief Justice LaFontaine of Lower Canada, and other dignitaries. Elgin was praised by all who spoke, but Hincks was not forgotten: Russell and Grey both praised Hincks for his achievements and his assistance. When Hincks spoke, he thanked the gathering not for its compliment to himself, "or to any measure of colonial policy of which I am the advocate", but for the importance of the demonstration itself, which would show Britain that Canada was loyal and prosperous under the system of responsible government. He argued that the doubts, held by some in Britain, about the stability of the colonial institutions had done Canada "an incalculable injury", as it was a necessary borrower of money to construct canals and railroads. But those internal improvements, particularly the ship canals, were "paying a considerable revenue" and, "by reduction of freight and the increased value of property, paid for themselves tenfold." The railroads- the Great Western just opened and the Grand Trunk with 390 miles in operation between Montreal and the Atlantic- were "highly remunerative" at present, and "such is the increase of population and of the products of the soil, that what is remunerative to day will in five years be immensely profitable." In short, Hincks was selling Canada to his audience of British investors, and his remarks were apparently well received.[113]

The speech at Elgin's dinner is indicative of Hincks' concerns in the last year of his administration. As far as he was concerned, the clergy reserves and seigneurial tenure were solved, and the legislature would meet one last time in a short session to give final passage of the bill to increase the franchise before an election. There is no indication that Hincks wanted to run in that election: there had been newspaper speculation for quite some time that he was planning to retire from active politics, and his personal correspondence showed that he was getting weary of politics. Nevertheless, there were two major questions that occupied much of his time late in 1853 and on his trip to England in 1854- they were Canada's political and economic future. It may have been Hincks' intention to leave politics after these two important matters were settled.

With regard to the first question, Hincks, as always, argued that the British connection was Canada's richest blessing, and it was with this attitude that he approached the issue of union of the British North American provinces. Hincks wrote a long letter to Colonel Bruce, Elgin's secretary, on 10 December 1853, explaining fully his objections to the scheme, which had "more or less occupied the public attention for several years, and [was] one that I have often deeply reflected on, since the time when the late Earl of Durham brought it under consideration in his admirable report." Elgin and Hincks had had many discussions on the subject, but Bruce had asked Hincks to put his thoughts in writing. Hincks' major objection was that a union "would be fatal to British connexion": he did "not think it at all probable that any federal system independent of the United States could be maintained on this continent"; and argued that such a union "would almost necessarily have to adopt the democratic institutions of the adjoing States and would most certainly desire to be incorporated in the federal union." Another reason was that the united provinces, as in the States, would soon become virtually independent themselves, leaving "as little as possible for the federal governt to do- in fact the latter would be a piece of useless and vy expensive machinery which I fear would soon be got rid of." Practical difficulties, like the distribution of revenue, would also work against such a union: he thought that Upper Canada would agree to taxation if it had control of expenditure, but in Lower Canada, "it would be most unsafe to leave the judiciary and the maintenance of public order to depend on taxes to be raised directly from the people." He was not sure whether the French Canadians could "be induced to submit to taxation...but certainly the time is yet too distant to warrant us in basing a new scheme on such an assumption."[114]

Hincks was more agreeable to a legislative union, though it would still end the connection with Britain, and other difficulties would crop up. On the positive side, "a federal union would have much to recommend it to public opinion", as "It would gratify all those desirous of change...." He thought that French Canadians would secure Lower Canada "in their hands", which would revive "the old cry of 'nos institutions notre langue et nos lois'...." Those Upper Canadians who were "jealous of French Canadian influence would think this a favourable opportunity of obtaing ascendancy in U.C." Annexationists "would again be evywhere on the alert feeling convinced that such a system would ensure their speedy triumph." The Maritimes "would probably like the connection with Canada- if secure of virtual independence of her control." He concluded "that a.federal union might possibly be carried if British influence were thrown in the scale in its favour but as I have already stated it would be the death blow to British connexion."[115] This outline is interesting because Confederation came about precisely as he predicted. Yet Hincks also had strong arguments against a legislative union, and compared it to the union of the two Canadas in 1840. In 1853, he thought, the French Canadians, Maritimers and Upper Canadians would oppose such a union for their own reasons.

Hincks' view of the situation in the Canadas is instructive, as he recognized the drawbacks of the system: "...in order to command the necessary amount of influence in each section of United Canada we have been obliged to have a larger number of public functionaries than are really necessary. And hence incessant appeals to the public about useless offices and extravagent expenditures." He also thought that if a similar cabinet structure was imposed on a larger union, there would be too many ministers and "a much less chance of harmony when the various interests and discordant materials are taken into account." He went on to argue that there was no evidence that Canadian public opinion was interested in the question of a larger union; rather, he noted that British statesmen seemed to talk more about it than the colonists. At one time, Hincks thought that such a push from Britons "was owing to their belief that the connexion could not be permanently maintained and that it was desirable to provide in a time of peace and prosperity for such a change which would ensure an independent Northern federation on this continent." However, he called such a notion "chimerical", and argued that "the great practical question is the expense". Thus, he did not think that any system "will long be tolerated under which one portion of Her Majestys subjects are taxed for the defence of another...." Hincks believed that the British sought "some plan by which the burden of defence may be thrown on the colonies, and they imagine that this can only be effected by a large combination."[116]

This logic led Hincks to his second concern- how to save the British defence expenditures without forming a large union. The solution, he argued, was simple, and could be first tried in Canada- "I know what Canada can do"- where, if successful, it could then be used in "all the important colonies...in their turn." His suggestion was to "announce the intention of abandoning entirely to the Province the charge of defending itself and...at the same time give up to it unreservedly all the lands buildings &c now under imperial controul [sic]." Colonial loyalty "would be promoted by such a course and the new subjects with which we would have to deal would promote good feeling rather than otherwise." Finally, he urged the British to act, giving up their role unconditionally, and "that no rail road guarantee should be made part of the bargain": "Were it made a condition of givg Imperial aid to such a scheme that any additional burden should be assumed it would not only ruin the Rail Road scheme effectually but create the greatest discontent at the military defence being thrown on us."[117] Thus, Hincks' ideas were quite far-reaching. His chief thought was to ensure a continued connection to Great Britain, but he also saw that Canada was ready for more responsibility. He realized, too, that the province could ill-afford more railways, and asked that the imperial government should not tie transfer of defences to a Halifax railroad. At the same time, he was trying to save the British taxpayer an unwanted expense.

In his covering letter to Bruce, Hincks said he was "persuaded that thgs cannot go on now as at present, and that a more favourable time for effectg the change could not be chosen." He assured Bruce that "My support in or out of office may be relied on, and it is obviously most important that no Canadian should be supposed to have suggested any measure that would increase our burthens."[118] After Hincks read Morin a draft of his letter, Morin responded by writing a letter on 13 December, saying that the more he reflected on the matter, "the more I am convinced that your views are correct and comprehensive and that any addition of mine would really be worthless in comparison." His only concern was that current questions, like the elective Legislative Council, should not be put off by the idea of a federation, which, given the necessity of "an ambulatory Govt" in Canada, would be more difficult "if the Lower Provinces were added".[119] These questions- union and the military- were major topics of discussion with Elgin and Newcastle when Hincks was in London in April 1854. After talking to both his superiors, he wrote Henry Roberts that he was "still of opinion that my views are sound."[120] The discussions focused on the details of implementing his ideas. However, there was no action taken because events - reciprocity, an election and a defeat in Parliament - soon overtook the Hincks administration, and such far-ranging matters were put off for many years.

Hincks had come a long way in his political development, from someone the Tories called a radical Reformer in the mid-1830s to the imperial statesman of the mid-1850s. He was no longer concerned with petty political problems, indeed had always argued that minor differences of opinion should not interfere with large goals. What had he achieved in his efforts to build the Reform party? He had overseen its development since the united party was begun in 1839-40, and believing that responsible government was conceded during the 1841 session, he was very pleased with Sydenham's reforms. He undoubtedly helped bring the French Canadian Reformers into the cabinet in 1842, resigning with the rest on a question of principle- patronage- after Metcalfe refused to follow Bagot's version of the responsible system. He then moved to Montreal to start an English language Reform paper in the new capital, as well as solidify the English-French alliance. His organizational abilities and extra-parliamentary efforts helped pave the way for the Reform victory of 1847-48, and he again took a prominent place in the new government.

Hincks' strength was his financial knowledge and his political flexibility. In the early years, his economic talents gave him stature in a party with few prominent businessmen, and, with his policies, he was able to attract the commercial class- moderate men who were concerned more with developing the provincial economy than minor political differences. At times, some refused to go along with Hincks' views, and W.H. Merritt and John Young resigned rather than change their opinions; but Hincks generally believed that compromise was necessary as long as he had to surrender less than the other party. It took some political skill and compromise to come to an arrangement with the Clear Grits in 1851: they thought that they were getting more influence than Hincks was prepared to give up, but Cameron and Rolph supported him to the end, even if the majority of Grit supporters in the country did not. Probably the most important political achievement for Hincks was the maintenance of the French-English alliance that lay at the heart of the union: he respected the views of his French Canadian colleagues, and they benefited as much from the politics of interest as did the businessmen.

Finally, Hincks also put forward quite advanced imperial views. Since he had succeeded as an economic risk-taker and a flexible politician, Hincks increasingly sought to shield himself from the fallout of his economic policies- the scandals- by adopting the role of imperial statesman and the architect of national unity. Thus, his downfall was perhaps a result of his political conservatism on the question of what some considered the two great issues of his administration, the secularization of the clergy reserves and abolition of the seigneurial tenure. Hincks was reluctant to move precipitately, and though he may not have agreed with Elgin's doubts in mid-1853 about settling the questions before an election, he might have averted the problems of June-September 1854 if he had pushed for immediate action. In the end, though, he helped secure the solutions, and a much stronger political entity similarly committed to interest politics, when he helped achieve the liberal-conservative coalition. Hincks thus deserves more credit for his political achievements than he has hitherto received.

[1] MTCL, *Baldwin Papers*, #72, Hincks to Baldwin, 26 October 1849.

[2] *Debates*, 1850, 1: 258.

[3] *Ibid.*, 258-9. Henry Boulton was the most prominent critic.

[4] Hincks, *Reminiscences*, 253.

[5] *Debates*, 1852-3, 1: 155.

[6] G.M. Rose, *A Cyclopedia of Canadian biography, being chiefly men of the time* (Toronto, 1888), 72. Margaret Coleman's entry in *DCB*, 10: 125, says that "no proof of this offer seems to exist and observers *such* as Francis Hincks questioned the truth of the story."

[7] *Statutes of Canada*, 1848-9, 11 Vict., cap. 15, 65-9.

[8] Careless, *Brown*, 112.

[9] Joseph Cauchon wrote an open letter criticizing Hincks' appointments and asked "Why did you not give the Crown Lands to Mr. Cameron...as he desired in 1849?" Hincks, *Reminiscences*, 273- Cauchon to Hincks, 8 November 1851.

[10] J.C. Dent, *The Canadian biographical dictionary and portrait gallery of eminent and self-made men* (Toronto, 1880-1), 4: 132.

[11] *DCB*, 9: 574-5.

[12] Doughty, ed., *Elgin-Grey Papers*, 937, 941, 944.

[13] *Ibid.*, 944.

[14] Robert MacKay, *Montreal Directory*, 1848, 316.

[15] J. Armstrong, ed., *Rowsell's City of Toronto and County of York Directory, for 1850-1* (Toronto, 1850), 1: xlii, xlvi.

[16] See Chapter 4, Hincks and the Railroad Interests.

[17] *DCB*, 11: 618.

[18] *Canada Directory*, 1851-2; MacKay's *Montreal Directory*, 1848, 313.

[19] *DCB*, 9: 775-6.

[20] MacKay, *Montreal Directory*, 1847-9, 267, 323, 333 respectively.

[21] *Canada Directory*, 1851-2, 171.

[22] MacKay, *Montreal Directory*, 1854, 430; *DCB*, 10: 724.

[23] *Debates*, 1852-3, 1: 586.

[24] *DCB*, 10: 722.

[25] Ibid., 725-6.

[26] Hincks, Reminiscences, 269.

[27] Debates, 1852-3, 1: 586.

[28] G. Tulchinsky, The River Barons: Montreal Businessmen and the growth of industry and transportation, 1837-53 (Toronto, 1977), 163; see also Pilot, 23 July 1854, 2.

[29] Debates, 1852-3, 1: 646.

[30] MacKay, Quebec Directory, 1850-1, 253.

[31] See A. Hawkins, comp., Quebec Directory, 1850-1, 252, and R.W.S. MacKay, Canada Directory, 1851, 313.

[32] Debates, 1851, 1: 575.

[33] Hincks, The Political History of Canada between 1840 and 1855: A Lecture (Montreal, 1877), 47-9, Hincks to Thomas Hardy, 29 October 1851.

[34] Doughty, ed., Elgin-Grey Papers, 947.

[35] MTCL, Shenston Papers, Hincks to Shenston, 8 September 1851.

[36] Brian Dawe, Old Oxford is Wide Awake: Pioneer Settlers and Politicians in Oxford County, 1793-1853 (n.p., 1980), 83.

[37] Ibid., 87.

[38] MTCL, Shenston Papers, Hincks to Shenston, 11 October 1851.

[39] Ibid., Rolph to Shenston, 13 October 1851.

[40] Dawe, Old Oxford, 86.

[41] MTCL, Shenston Papers, Hincks to Shenston, 30 October 1851.

[42] Ibid., Ross to Shenston, 6 November 1851. The ministers mentioned were the "Revd Mr Mackenzie of Zorra" and Dr. Burns.

[43] AO, W.L. Mackenzie Correspondence, 8246-7, Kintrea to Mackenzie, 11 November 1851.

[44] Ibid., 8256-7, 15 November 1851.

[45] Rev. W.A. MacKay, Pioneer Life in Zorra (Toronto, 1899), 148-9.

[46] NAC, Rolph Papers, 160, Mackenzie to Rolph, 23 February 1852.

[47] Ibid., 148, 2 January 1852.

[48] MTCL, Shenston Papers, 27 November 1851, telegraphs; Hincks to Shenston, 8 December 1851. Apparently there was an incident in which a horse was

killed, as Hincks "promised to subscribe $20- £5" towards the replacement of "Sanders horse".

[49] Ibid.

[50] Brian Dawe's study of the poll books showed that most of the influential magistrates supported Hincks, as did craftsmen and merchants in Oakland township, Ingersoll, Centerville, Embro and Beachville. Woodstock did not follow the trend and merchants there tended to support Vansittart, but Hincks was well supported by farmers in the back concessions, including the Zorra Scots. See Dawe, Old Oxford, 87-8.

[51] Debates, 1852-3, 1: 313.

[52] MTCL, Shenston Papers, Hincks to Shenston, 26 December 1851.

[53] AO, W.L. Mackenzie Correspondence, 8347-8, Hincks to Mackenzie, 31 December 1851. Hincks reiterated this point in a letter of 23 February 1852, 8479-80.

[54] Ibid., 8350-1, 31 December 1851.

[55] Ibid., 8352-3.

[56] Pilot, 23 December 1851, 2, supplemented by Debates, 1852-3, 1: vii-viii.

[57] P.G. Cornell, The Alignment of Political Groups in Canada, 1841-1867 (Toronto, 1962), 28.

[58] Cornell, Alignment of Political Groups, 103.

[59] Ibid., 32-5.

[60] NAC, W.L. Mackenzie Correspondence, 1, Mackenzie to DeWitt, 4 June 1852, 50-2.

[61] AO, Clarke Papers, Thomson to Clarke, 24 August 1852, 2-3. G.B. Thomson was in John Rolph's Crown Lands Department. He had formerly been connected with the London Free Press, and he was later editor of the Berlin Telegraph

[62] Ibid., 3.

[63] Chapais, LeBoutillier, Mattice, Merritt, Mongenais, Patrick, Rose and Young.

[64] Cameron, Egan, Johnson, Marchildon, McLachlin and White.

[65] Cartier, Chabot, Chauveau, Drummond, Dumoulin, Fergusson, Gouin, Lemieux, Morin, Morrison, Polette, Richards, Sanborn, Short, Sicotte, Smith, Terrill, Tessier, Turcotte and Viger.

[66] Cartier- mining promoter; Dumoulin and Tessier- seigneurs; Fergusson- insurance company and bank director; Polette- lumber promoter; Richards- insurance agent; Viger- banker; and Chabot, Chauveau, Drummond, Lemieux,

Morin and Sanborn were also railway promoters.

[67] In addition to the six already mentioned, there were Christie, Egan, Fergusson, Galt, Merritt, McLachlin, Patrick, Terrill and Viger.

[68] Fortier, LaTerriere, Poulin, Rolph, Taché and Valois.

[69] Jobin, Lacoste, Laurin, LeBlanc and Varin.

[70] Dumoulin, LaTerriere and Tessier.

[71] Christie, Hartman and Wright.

[72] Paige and Wright. This information has been culled from the various directories that were consulted, as well as other material found in the old Public Archives Library.

[73] *Debates*, 1852-3, 1: 10.

[74] *Ibid.*, 206-7.

[75] See the dispute over the appointment of members to committees, *Ibid.*, 22, 26.

[76] W.H. Boulton, G.B. Lyon, Edmund Murney, Macdonald and MacNab, Henry Sherwood, Henry Smith, T.C. Street, and from Lower Canada, William Badgley and G.O. Stuart.

[77] J.G. Clapham, J.W. Gamble, G.P. Ridout, W.B. Robinson, Benjamin Seymour, James Shaw, D.B. Stevenson, and Crowell Willson.

[78] George Crawford, T.C. Dixon (later Emigration Agent in Hamilton), and John Langton (later Auditor General of Canada), respectively.

[79] *DCB*, 10: 650.

[80] *Debates*, 1852-3, 67.

[81] *Ibid.*, 183.

[82] NAC, *Mackenzie Papers*, 8: 1040, McIntosh to Mackenzie, 26 September 1852.

[83] NAC, *Rolph Papers*, 203, McDougall to Rolph, 12 December 1852.

[84] *DCB*, 8: 228-31. Donlevy was publisher of the Toronto *Mirror*

[85] AO, *Clarke Papers*, McDougall to Clarke, 3 February 1853, 4-5.

[86] AO, *A.N. Buell Papers*, Cameron to Buell, 22 February 1853, 3.

[87] Much of the council's work involved approving local bylaws in which communities like Niagara, Chippewa, St. Catharines, Cobourg, Brantford, Quebec City and others wanted to take stock in various railways; the transfer of public roads and bridges in Upper Canada out of the hands of Public Works;

advances to railways under the Guarantee Act; establishment of the University of Toronto and appointing its Senate; and overseeing the transfer of the Rideau and Ottawa canals to provincial authority. See Canada, State Papers, Executive Council Minutes, April-May, 1853.

[88] St. Thomas Weekly Dispatch, 1 February 1853, 3.

[89] Ibid., 12 April 1853, 2.

[90] Globe, 12, 22 March, 2, 21 April 1853.

[91] St. Thomas Weekly Dispatch, 7 June 1853, 2.

[92] Globe, 7 June 1853, 2.

[93] Ibid., 25 June 1853, 2.

[94] Ibid., 6 September 1853, 2.

[95] Ibid., 7 July 1853, 2.

[96] Ibid., 21 June 1853. This dinner seems to have been put off, as the ministerial participants could not get away from Quebec as soon as they thought. There was a council meeting on 13 July 1853- see Canada, State Papers, Executive Council Minutes, vol. N, 348-57.

[97] Globe, 30 July 1853, 2.

[98] See Chapter 7, Patronage- Jobs and Honest Graft.

[99] St. Thomas Weekly Dispatch, 4 August 1853, 3.

[100] AO, Clarke Papers, Thomson to Clarke, 12 August 1853, 1.

[101] Globe, 9 August 1853, 2.

[102] St. Thomas Weekly Dispatch, 4 August 1853, 2.

[103] St. Thomas Weekly Dispatch, 18 August 1853, 2.

[104] AO, A.N. Buell Papers, Cameron to Buell, 23 September 1853, 2-3.

[105] St. Thomas Weekly Dispatch, 13 October 1853, 1, "The Brown Dinner at Cobourg", from the Leader.

[106] AO, A.N. Buell Papers, Cameron to Buell, 15 November 1853.

[107] Ibid. Hodgins Papers, Hincks to Ryerson, 11 January 1854, 3-4.

[108] NAC, Rolph Papers, Rolph to Hillmaster, 11 March 1854, 255-6.

[109] Ibid., Mackenzie Papers, 8: 1090-1, M'Leod to Mackenzie, 21 February 1854.

[110] Ibid., 1638, Mackenzie to James Mackenzie, 6 March 1854.

[111] Globe, 9 March 1854.

[112] Debates, 1854-5, 1: 35.

[113] St. Thomas Weekly Dispatch, 4 May 1854, 1.

[114] NAC, Newcastle Papers, Hincks to Bruce, 10 December 1853, 1-3.

[115] Ibid., 5-6.

[116] Ibid., 7-10.

[117] Ibid., 14-15.

[118] NAC, Hincks Papers, 46, Hincks to Bruce, 10 December 1853.

[119] Ibid., 47, A.N. Morin to Hincks, 13 December 1853.

[120] NAC, Newcastle Papers, Hincks to H. Roberts, 8 April 1854, 1-2.

Chapter VII

PATRONAGE AND THE POLITICS OF INTEREST

Patronage, more than anything else, has been traditionally seen as a hallmark of Hincks' career. More specifically, Hincks has been seen as using patronage corruptly in order to keep his unprincipled supporters in line. Though patronage has not received the attention from historians of the early nineteenth century that it deserves, many of those who have looked at the phenomenon before Confederation focused on comparisons of the systems that developed in Britain, the United States and Canada. Others have focused on how corrupt the system became after power was handed from what one scholarly supervisor has called "honourable gentlemen" to the "rabble" of the post-responsible government period. All agreed that political patronage was central to Canadian politics, partly because of the small number of members in the Assembly, and also because of a strong sense of localism "Abetted by geography and in the absence of social cohesion...."[1] A study of patronage in the mid-nineteenth century does confirm Gordon Stewart's conclusion that "a unique mixture of executive dominance and persistent localism"[2] developed, but rather than focusing on "staple patronage" or "corporate patronage", or even "corrupt patronage", I intend to look at how various kinds of patronage were used by Hincks and the Reformers in the 1840s and 1850s.

This chapter will examine the facet of interest politics that is revealed in Hincks' use of patronage and its effectiveness in maintaining and strengthening the Reform party. To Hincks, patronage was a corollary of development policies, as both could be used to promote interest politics. Provincial development, particularly the building of railroads, attracted support to the Reform party. Patronage can be broadly defined as the patron-client (or in political terms, the politician-supplicant) relationship involving the dispensation of favours for services, or what one observer has called "reciprocity, dependence and discretion...."[3] It, too, was a political tool that could be used to maintain and increase support. Hincks' approach was much broader and more practical than that of Baldwin and LaFontaine, and because he was such an important player in the period, his views of patronage deserve consideration. While Hincks was a minister, then premier, patronage can be divided into three categories: personal, departmental, and political. Though these occasionally overlap (departments often made political appointments), they will be examined separately. Political patronage can be subdivided into local, punitive, newspaper, and broadening patronage, and these too will be treated individually. All these forms of patronage reveal a complex system of rewards and punishments designed to boost friends and potential supporters, and minimize the influence of opponents. As Hincks had been a witness to the kind of sophisticated patronage system used to keep the Family Compact in power, his success can be attributed to the way he adapted the old politics to the new era of responsible government. His later failure was not a result of his inability to dispense patronage, and the system he developed was bequeathed to the succeeding coaliton.

Patronage in the pre-responsible government era was completely within the realm of the crown, or its representative in the colony. The Constitutional Act of 1791 gave the local governors very strong powers in order to maintain the political balance and check the democratic tendencies of the elected Assembly. These powers remained in the governors' hands until 1848, though some had been eroded after 1842. They included powers of calling and proroguing Parliament; disallowance and reservation of bills; control of revenues from Crown Lands and all pre-1791 duties; and the calling and timing of elections. In addition, the governor had extensive powers of patronage: he could appoint and dismiss Legislative Councillors, Executive Councillors, officials of Parliament and government departments, officials for the administration of justice (judges, sheriffs, registrars, and clerks), immigration and militia officers (1500 of the latter in Upper Canada alone in the late 1820s), as well as eduction officials.[4] Before the rebellions, crown patronage was one of the most contentious issues for Reformers, and something that both governors and their advisors refused to give up. Executive councillors and other officials, even some privileged MPs who supported the government, had what has been called "small" or minor patronage. As they had the ear of the governor, who was often in Canada for only a short time, the ability to recommend people for favours or office was valuable. Though controversial, there was nothing illegal about the system: even if it was corrupt, or morally debasing, this is the way it was. The problem arose over the popular perception of the way patronage was used to maintain in power an exclusive elite.

In Lower Canada, the Ninety-two Resolutions, introduced by the Patriotes in 1834, pointed out that crown patronage favoured the English minority, even though French Canadians made up five-sixths of the population.[5] That same year in Upper Canada, W.L. Mackenzie's Seventh Report on Grievances stated that one of the "'chief sources of Colonial discontent' stemmed from 'the almost unlimited extent of the patronage of the Crown, or rather of the Colonial Minister for the time being and his advisors here, together with the abuse of that patronage.'"[6] Many believed that private greed had replaced public duty as the chief princple of government.

After the rebellions, Lord Durham was sent to Canada as Governor General and High Commissioner. In his Report, he pointed out the abuses that had existed under the compacts, and advocated responsible government in order to produce more harmony between the people and their rulers - Baldwin had been saying the same for years. However, an important British official now admitted "that the character of public servants...[would not] suffer from a more popular tenure of office": "For I can conceive no system so calculated to fill important posts with inefficient persons as the present, in which public opinion is too little consulted in the original appointment, and in which it is almost impossible to remove those who disappoint the expectations of their usefulness."[7] While the British government dismissed this recommendation, future governors were instructed to exercise more discretion, and to go back to the original intention of 1791 by using appointments to balance political rivalries rather than favour one side against another.

Hincks regarded patronage, or the government's power of appointment, as an important element of interest politics, as it could be used to promote both party and party goals. However, he was not too specific on the question in his early correspondence with LaFontaine: he simply said that a united Reform party would control the Assembly, and it would then have the power to do everything it wished. On 17 June 1840, Hincks told LaFontaine that he had "always supported the Union without reference to details because by it alone I felt convinced we would have a majority that would make our tyrants succumb."[8] The ostensible purpose for him was to build the party and promote development. The carrot Hincks used to convince LaFontaine to join with the Upper Canadian Reformers and support the union was responsible government, and specifically patronage, which could reward French Canadians for their long exclusion from the center of power.

Hincks had a fairly flexible attitude to patronage. He was willing to be patient in reaping the political benefits of well-thought-out appointments. He was quite struck with the advice of a British Reformer, a "staunch friend of liberal principles" who suggested that responsible government had to come not through confrontation, but "silently, gradually & quietly":

> Return a Reforming majority and depend upon it that from that hour Mr B[aldwin] will direct the Ex. Govt Subsequent appointments will if the majority keeps on good terms with the governor be made, at first for the most part, very soon entirely from amongst his friends, and ere very long the majority will have the whole direction of affairs in their hands...Be content if you are always making some way on the whole towards your great end.

Hincks added to Baldwin that "The sense of the advice is not to be too hard upon such persons who are now willing to be our servants if we will make use of them & whose talent & influence may be of use."[9]

Hincks recognized that there were different factions in both the Reform and Tory parties, and he was concerned with excluding some particular types and advancing others. In 1840, he wrote LaFontaine that he was worried about dubious Reformers such as S.B. Harrison, who was running against Sir Allan MacNab in Hamilton. He admitted that "I would rather however have McNab & I do not scruple to say so": "Harrison will be a spy & traitor in our camp, always intriguing with weak men & trying to influence them. I confess I dread such persons worse than our old & now broken down enemies. McNab too has been personally ill used & could hardly act with Lord Sydenham."[10] This excerpt does not necessarily indicate that Tories were preferable to Reformers, but it does seem to show that some enemies were preferable to some friends. For Hincks, the goal was to attract moderate, business-minded men, who would promote Canadian development and leave partisan politics behind.

Though the principle of dispensing patronage did not change in the 1840s, the exercise of power varied considerably. For this reason, it is difficult to discuss the period thematically without examining the practictioners of patronage. The four men who governed Canada before the arrival of Lord Elgin in 1847 - Lord Sydenham, Sir Charles Bagot, Sir Charles Metcalfe and Lord Cathcart - all reserved for themselves the power of patronage. There were differences, though: Sydenham set the stage for the union in his introduction of an efficient, business-minded administration. Of the governors in this period, he was the most strong-willed and ruthless in manipulating the system to create a centrist party under his guidance, using all the powers at his disposal to keep his "balanced" party in control.[11] After Sydenham had outwitted the Reformers at the opening of the 1841 session, Hincks had little opportunity as an opposition MP to exert any influence in patronage questions. But before long, he was the object of Sydenham's patronage when he accepted the chairmanship of the banking committee, wooed by Sydenham's ideas on colonial finances and provincial development. There is no evidence that Sydenham actually offered Hincks the position of Inspector General, though William Draper was informed of this intention and submitted his resignation in anticipation.[12]

The different attitudes of Hincks and Baldwin were quite plain. Hincks was considered to have deserted the Reform party in mid-1841. Baldwin, writing to LaFontaine about the unprincipled administration's appointment of wardens, said that Draper and Harrison would be beset with "a swarm of expectants", though they could "not all be gratified...." He was quite critical of the government: "...while an administration with a well founded hold on public confidence may be strengthened by the honest and judicious distribution of legitimate patronage...one [with] 'no character at all' and which instead of being able to make use of its patronage as a source of additional strength has to lean upon it as its only or chief support will find the time arrive when the exercise of that patronage will prove no unimportant agent in bringing about its ruin." This statement shows that Baldwin's attitude towards patronage was cautious - he would not use patronage for what he considered unprincipled purposes. Baldwin himself defined what was and was not principled, and he believed that patronage was to be used for party purposes. In contrast to Sydenham's, or his minions', expedient use of patronage, the Reform party was to use it for its benefit but not as a crutch. Good measures were to come first. Baldwin thought that the wardens would be appointed "in a great measure from among those who have lately joined the ranks of Reform or who have but lately come to the country." But his point was that these jobs were given to government supporters, not party ones: two of the recipients were William Hutton (Hincks' cousin) in Hastings, who had recently arrived and has "no particular influence or fitness for selection"; and in Norfolk, Mr. Powell was appointed as a reward for his support of Sydenham's "coalition". Baldwin concluded that "In this there is probably nothing but what is to be expected. It is those of course who approve of an administration who will be employed by that administration."[13]

In 1842, Bagot's goal, following Sydenham's policy, was "to extend, with safety, the patronage of The Government to all parties equally, without reference to past estrangements, and to take from all sides the best and fittest men for the public service...."[14] However, he was not as single-minded as his predecessor, and he was much more diplomatic: he bent to the necessity of bringing the French Canadians into the government. Still, he balanced Reformers with Conservatives and tried to keep his council moderate and non-partisan. One of his first acts was to recommend Hincks' appointment, which occurred in June 1842. This offer was offset by an appeal to J.S. Cartwright, who turned Bagot down for partisan reasons, but Henry Sherwood joined the ministry as a representative of the Tories. Hincks realized fairly quickly that if Bagot was serious in his patronage policy, a large number of Reformers would have to be appointed simply to catch up - still, it would not do to be too eager. As Hincks set about reorganizing the department, he wrote Bagot 21 July 1842 that he would need a bookkeeper. Hincks "respectfully" prayed that Bagot appoint Frederick Ferguson, a gentleman with "very superior" qualifications.[15] He stressed the non-partisan nature of the recommendation, saying that he was "entirely uninfluenced by political considerations in making this recommendation Mr Ferguson having always been a Conservative in politics."[16] Bagot responded from Quebec on 24 July, agreeing that Hincks' department "should be immediately placed upon the most efficient footing in all respects", and that Ferguson seemed fit for the position.[17]

Bagot's even-handedness extended to both extremes. He was prepared to make Sir Allan MacNab Adjutant-General of the Militia for Upper Canada, a situation worth £600, and with it, "an extensive small patronage, and the power of obliging a pretty numerous clientèle of his own."[18] LaFontaine was given similar treatment after he came into the ministry: "...within six weeks he had appointed at least one judge, commissioners of all kinds, clerks for post offices, and an endless number of special magistrates empowered and paid to issue marriage licences." He also solicited suggestions for appointments from his supporters, and was so busy with patronage that he put L.T. Drummond and T.C. Aylwin in charge of Montreal and Quebec respectively.[19]

Even though Bagot was willing to give up some of his patronage powers, mainly because his infirmity prevented him from taking the vigorous role Sydenham had exercised, some Reformers were not very happy because the governor retained ultimate control. Baldwin and LaFontaine thought that their position was quite awkward. The latter wrote Baldwin on 26 November 1842, saying that he condemned, "as much as you do", an unspecified appointment: "I do so on principle. And if it had not been for the precarious state of health of the Governor General, I would have insisted upon our acting...." Further, "every time that the govt calls you to power to have the advantage of your talents & influence, their first acts have a tendency to destroy that very same influence with your party-" He was willing to admit that Bagot meant well, and he did advise Baldwin "to pass it over for this time...."[20] But the principle of the government appointing only those it chose, in this case Reformers, had only been sacrificed because of LaFontaine's sensitivity. Otherwise, the party would have made its stand a year earlier than it did. Bagot was thus able to maintain the fiction that there was no party government, though he did say that responsible government "virtually...exists." The issue never arose as to whether he believed he had to accept his council's advice.[21]

Sir Charles Metcalfe was sent to Canada to recover the ground lost by Bagot. Colonial Secretary Lord Stanley instructed him to keep patronage "in your own hands, and refuse to apply it exclusively to party purposes...." Metcalfe was warned that if he let his council make its own appointments, "they will at once strengthen a party already too compact and powerful", and "reduce your authority...to a nullity."[22] When faced with advisers who sought full use of the power of appointment, Metcalfe had little choice if he was going to maintain his authority. As for the ministry, the differences arose over how far the Reformers should push their point. Baldwin and LaFontaine were insistent that party should go first. But Hincks was more realistic and conciliatory. He made his views on patronage quite clear in a letter to Baldwin of 15 June 1843. On the subject of appointing magistrates in the Home District, Hincks noted that "many old & respectable Conservatives would be left out"; the "consequence is that we shall have far too many Reformers in proportion, and I am afraid if we persevere in our present list we shall get into trouble with Sir Charles who really is acting very well."

Hincks believed that in order to secure Reform appointments, and broaden its base of support, the party would have to be flexible, giving some jobs to Conservatives to keep Metcalfe happy. He pointed out that all the nominations from Reformers mentioned "hardly one of the opposite party" and advised Baldwin to appoint "at least 8 Tories in the city" and more in the country. He did not think that Reformers would "complain & I see that great political good will result. We are now fighting the battle of the middle classes against the aristocracy-" His advice was to

> select Tories from the same class that we take our friends from so that when the cry is raised by the Tories they will hit their own

> friends & unite them on that point with us- I would select men of good character who had done work in the world & were at the head of their own business. The same remark applies to the country- I would try & get some respectable Canadian farmers who have acted with the Conservatives in the country.

He added that "We must have at least 25 Tories from the District exclusive of the City & 40 would be nearer the mark...."[23] He thought that "such chisellg will do good".

This letter outlines perfectly Hincks' position - political differences meant little when business and class similarities were a much stronger glue. Patronage could certainly be used to help family and friends, but as far as Hincks was concerned, it had a specific purpose. The Reform party base had to be broadened, but along certain lines: businessmen would be attracted to a party that was committed to developing business interests, which in turn would help the party and provincial development. His strategy was not new: the old Compact had done something similar. But if followed under the responsible system, it was calculated to keep the Governor General on side, benefit the Reform party, broaden its business base, and attract like-minded middle-class Conservatives, whose allegiance would be doubly secure: they would owe their position to the Reformers and criticism from the "aristocratic" Tories would push them even more strongly into the Reform fold.

Baldwin and other leading Reformers agreed with Hincks' strategy in June 1843. Baldwin responded to Hincks by writing that "I am not for a partizan Com[mission] by any means...No objection at present strikes me to the names you mentioned."[24] However, Metcalfe, while approving the Reform appointments as long as they seemed to be fair, began to take matters into his own hands. On 8 August 1843, the governor appointed Robert Stanton, and old Tory and Compact supporter, as collector of customs at Toronto, without consulting the council. There was quite a public stir, and considerable pressure on the Reform leaders-

Hincks apparently threatened to resign.[25] There were many other instances of Metcalfe's activities.[26] LaFontaine threatened to resign unless the Governor extended to some Lower Canadian rebels (including Papineau) the same pardon he had, without consultation, granted two Upper Canadians. Metcalfe's conversations with known opponents of the Reformers, with a view to appointing them or asking their advice, were particularly galling to the council.[27] The final straw came when Metcalfe appointed Francis Powell, son of Tory Grant Powell, as Clerk of the Peace for the Dalhousie District- not only was he a Tory, but he was an objectionable one, and besides, Baldwin had already promised the position to a Reformer. Hincks downplayed the importance of this appointment in his Reminiscences, saying that there were "other cases of far more importance than that of Mr. Powell" and that "appointments were made without even the knowledge of the Ministers."[28] Nevertheless, on November 26, 1843, the whole Executive Council resigned, except for Dominick Daly, as they were no longer able to tolerate the Governor's interference.

The irony of Metcalfe's administration has been well documented. He tried to reconstruct the ministry on an all-party basis, failed, and limped along with his "triumvirate" until the elections in the fall of 1844. He threw the full weight of his influence into the campaign and made loyalty the issue. He lost in the east, gained in the west, and finished with a slight majority. In order to keep his ministry alive, and as Metcalfe himself fell ill, William Draper was given more and more influence in patronage appointments. And though one historian noted that Draper "so ardently wished to promote business interests and to develop public works...[in an attempt to create] a development-oriented Conservative party", little was accomplished by those he appointed.[29] Draper was too busy, first trying to run the Assembly from the Legislative Council, then trying unsuccessfully to gain French Canadian support: three approaches over three years came to naught.

Nevertheless, under Lord Cathcart - a military man uninterested in civil matters - Draper was fully in charge after April 1846: the government now controlled patronage. In early 1847, he made a final attempt to assure a moderate Conservative administration, and gave up at the end of May.[30]

The Reformers could do little while out of office. They also had to withstand the Draper and Sherwood governments' use of patronage to bolster the Tory cause. The repeated attempts to acquire French Canadian support for the Conservative ministries from 1844 to 1847 have been mentioned. French Canadian Reformers had considerable problems trying to maintain their unity in the face of such concerted efforts to break them up.[31] Hincks himself was kept out of Parliament, in which one vote was very important, by Tory patronage: when the vote on Hincks' controverted election came up in committee in May 1846, Reformer J.P. Roblin was offered and accepted three posts in Prince Edward County to absent himself and resign his seat.[32] Another example of Tory activity was provided by W.S. Conger of Peterborough. He wrote Baldwin on 20 May 1847 that the local member, G.B. Hall, "is endeavouring to strengthen his hold upon the County, a new Commission has just issued creating about 50 new magistrates, together with a great deal of talk about improvements, in roads &c all of which have a tendency to catch the weak and wavering.-"[33] In this case, though, Hall himself took a vacant district judgeship: a Reformer and businessman, James Hall, won the seat in 1848. Though Henry Sherwood, who had taken over after Draper's appointment to the bench, tried to take the Reformers by surprise in the late fall of 1847, his gamble did not pay off. The Reformers won the election, but Sherwood's ministry kept power until defeated in the House.[34]

The change of British attitude which heralded the responsible government èra had actually occurred late in 1845. Colonial officials like Sir James Stephen conceded that Canada was virtually independent, though the new Colonial Secretary, William Gladstone, sent fairly vague instructions to Cathcart about continuing Metcalfe's policies.[35] The arrival of Lord Grey at the Colonial Office in July 1846 ended the doubts, and brought responsible government into full operation after Lord Elgin was appointed Governor General.[36] Nevertheless, after the Sherwood ministry resigned, the new government had to see how Lord Elgin would handle the patronage question. For his part, Elgin thought that there would be some difficulty about the ministry's appointments, which might test the principle of an impartial civil service. He wrote Grey that he feared an attempt "to deal harshly, Yankee fashion...with [some] subordinate officials - for the twofold purpose of punishing opponents and providing place for political friends...." Yet he was prepared to "allow the responsibility of appointing to office to rest upon the Provincial ministry & weigh upon them as heavily as possible. An intelligent Governor and a watchful opposition will generally succeed in preventing abuses from growing too rank."[37]

In keeping with his cautious approach, Baldwin urged his followers to be calm and moderate during the changeover, saying that "by such a course the possession of power and consequent means of usefulness will be preserved to the party much more certainly and for a much longer period than by a rash attempt [by "the too ardent in our ranks"] however skilfully directed to accomplish too much at once."[38] Perhaps he had learned a lesson in pushing too quickly in 1843. James Durand of Dundas, former member for Halton West, agreed with Baldwin's assessment, and suggested that "the only sure means...of countervailing this prevailing epidemic, is to enlist all of the liberal press to our aid, to frequently warn the people against being premature and impatient, and claim their moderation in order to accomplish permanently, every reasonable Reform...." Durand thought he could appreciate Baldwin's "position, and well know how difficult it will be, to overcome so many prejudices and to deal out favors and patronage, to so many hungry and heretofore neglected ones...." Durand assured Baldwin that he would be supported, but also that the party had high expectations. He thought that it was reasonable to expect "that you will avail yourselves, on every fit occasion, to make use of your position, and power, to the advantage of your party...and not be too fastidious about what our opponents may say...they will do so, at any rate, do what you may, even if you were to put their own friends in office."[39]

In the early years of the second LaFontaine-Baldwin ministry, Hincks' version of interest politics became much more evident and began to dominate affairs in Canada. Baldwin was not very interested in matters of patronage and delegated authority regionally- he still had the final word, but was kept busy enough with administrative and policy concerns, and his own ill-health. LaFontaine was interested in promoting French Canadians, picking up where he had left off in 1843.[40] Hincks, on the other hand, was in a unique position to oversee appointments in both Canada West and East, since he had many contacts in both sections. Perhaps this was one reason why Hincks was tolerated by his more principled leaders- he was willing to deal with anyone to build the party. In any case, he was just beginning to exercise his influence as Inspector General publicly and privately to develop and strengthen the Reform party, defending the government as its most prominent spokesman, and putting forward methods for securing the provincial credit and promoting the province's development.

Hincks' version of patronage did not differ much from that of the Compact Tories, or even that of Draper's Conservatives. The Tory tradition was quite important: pre-union Tories had sought to support their party and encourage development, though their use of patronage was called "narrow and corrupt."[41] And while both the Compact and local officials opposed responsible government because it was tied to party, those Conservatives outside Toronto were not very happy with the way the province was run. Draper was less exclusive in the 1840s, and fell in with Sydenham's scheme to create a moderate coalition under the governor's control. Nor was he averse to development; but his main efforts were in trying to balance the old Compact Tories with the moderates, and to gain an alliance with an influential group of French Canadians - he succeeded in neither of these aims. Whereas Baldwin was exclusively a reform party man, and LaFontaine almost exclusively a French Canadian Reform party man, Hincks was a centrist. He could work with almost everyone, regardless of politics. He also realized that given the weak state of parties, the center had definite appeal. Hincks was willing to use the Reform party as a vehicle for provincial development, which would attract business support, and which would focus on positive accomplishments rather than divisive or theoretical policies. In this sense, Hincks was carrying on Sydenham's idea, but adapted it to responsible government, and a situation in which his party had a working majority.

There was certainly personal patronage. From the beginning of his political career, Hincks had looked after his cousin, William Hutton of Belleville, who was a "scientific farmer." Hincks introduced him to some influential people in Kingston at the end of the 1841 session, and Hutton was appointed Warden of Victoria District in December 1841. He sought a position evaluating the clergy reserve lands in the district, but the government postponed the appointment. Hutton was made returning officer for the Hastings by-election in November 1842 in which Edmund Murney, clerk of the peace, defeated Baldwin. Baldwin wanted to have Murney dismissed as clerk and the position given to John Ross, but Hincks argued "that as Baldwin now held his seat in parliament from Lower Canada [Rimouski], he should give the patronage in Upper Canada to his colleagues from that province."[42] This was a principle that no-one accepted, but it allowed Hincks to ask Bagot to appoint Hutton - Bagot avoided the problem by appointing someone else.[43] However, Hutton was named the first district superintendent of common schools in early 1844 by the Victoria District Council- the new schools legislation had been passed just before the LaFontaine-Baldwin ministry resigned.[44]

There was some reciprocation. Hutton's eldest daughter, Anna, became a governess to the four Hincks children and the Hincks family spent some time visiting the Hutton farm on the Bay of Quinte. Yet with Hincks out of power, there was not much hope for government patronage. A Tory was appointed district registrar in 1844 and although Hutton was asked by some Reformers to stand for election in late 1844, he declined. He was appointed as the district council's clerk in 1847, but it was taken away when the Tory warden cast the deciding vote against him; similarly, he was appointed and dismissed as district auditor late in the year, again because a Tory was "more acceptable politically."[45] But Hutton's hopes of employment increased with Hincks' success. Hutton wrote his mother on 2 May 1848 that he had "good hopes" of getting a job in Public Works that would give him four months' of "travelling and ventilation of the mind...." Before his next letter to Ireland on 8 June, Hutton had received an "appointment as Provincial Arbitrator at 10 shillings per day whilst travelling to and from my work, and 30 shillings per day whilst I work." He did not know how long his job would last, but it included "the valuation of all damages done by public works, dams, canals, railroads, etc.,etc....It is an appointment of considerable trust, but opinions are quite various about its value; some think £50, some £60, some £100 to £130 per annum."[46]

In July 1849, Hutton reported that his son Joseph had been given a two year position as an assistant statistical clerk in the Inspector General's Office with a salary of £125 per year, one that would allow "him to study in a lawyer's office a few hours each day so as to go on with his profession."[47] On December 7, Joseph expected to be "articled to the Solicitor General, Drummond",[48] but Joseph Lesslie reported to Mackenzie in early 1850 that "Hincks's Nephew...has been 'chisselled' into the Clerkship of the Court under [newly appointed judge R.E.] Burns."[49] Finally, in early 1852, Hutton senior entered government service as the lowest paid clerk in the custom's branch of the Inspector General's Office, and in little more than one year, he was promoted to secretary of the Statistics Board.[50] He had much to thank Hincks for, and other relatives apparently applied to both Hincks and Hutton for letters of introduction.

In 1854, the last year of Hincks' administration, there was considerable comment on the premier's personal interests, both financial and patronage-related. The latter issue concerned Hincks and his brothers. In January 1854, the Attorney General, John Ross, suggested that Hincks write Dr. Egerton Ryerson "on the subject of the absurd reports wh have found their way into some of the U.C. papers" that Hincks' brother William, who taught at the University of Toronto, would be made Superintendent of Schools. Hincks told Ryerson that there was absolutely nothing to the rumour and that "my brother is in precisely the situation that he likes in all his tastes, and all his previously formed habits would incline him to pursue the study of Botany & Nat History...in preference to any other."[51]

There was another rumour that Hincks' brother Thomas would be made Bishop of Kingston. There was a little more substance to this rumour, but the movement to bring him to Canada was begun by eastern Upper Canada Anglicans and Hincks claimed to have no knowledge of it. After the issue came up, Hincks wrote John Ross in mid-1853 "on the subject of the proposed new Bishopric in U.C...." He argued that a considerable number of the laity were dissatisfied for two reasons- national and religious feeling. While the majority of immigrants were from Ireland, as were many clergy, "whenever patronage is distributed through the influence of the Society for Propagating the Gospel in Foreign Parts, the Irish find themselves excluded and this naturally causes great discontent." He urged that an Irish bishop "of moderate and conciliatory views" be appointed to the new diocese, an act of justice that "would have a beneficial influence on the interests of the Church in U.C." As to religious feeling, Hincks noted the considerable discontent among the laity about the High Church views of John Strachan, and warned against the appointment of Dr. Bethune, Strachan's favourite. He concluded by mentioning that his brother was "precisely of the class from which a selection might be most judiciously made."[52] To Egerton Ryerson, Hincks admitted that he "should be on evy ground most anxious for his [brother's] success", but added that he had "little means of influencg it one way or another."[53]

John Ross then wrote to the Colonial Office on these questions, thinking that the Colonial Secretary would be appointing the new bishop. He suggested that "If men sacrifice their private interests for the public good as Mr. Hincks has done, & continues to do, an opportunity should not be lost of shewing them that it is appreciated." He also pointed out how much harm "Orangeism" had done in Canada, and argued that "if you give the Irish a bishop of their own in a man like Mr. Hincks' brother, he might do much to allay party feeling in this respect & no greater good or blessing could be conferred upon the country."[54] In the end, an Irishman was appointed: Hincks' view turned out to be correct, even though his brother was not chosen..

The question highlights a number of issues. Hincks was concerned with his brothers, though they were caught in the political cross-fire as Hincks' opponents were publicizing everything about him in order to affect his popularity. It also illustrates personal views about the Irish situation in Canada- to his thinking, there was unquestionably discrimination both in the Anglican Church and in the larger society, and he was resolved to try to improve their lot. Such a policy had political ramifications, as such patronage could be viewed as an appeal for ethnic support, but the motivation went deeper than politics. Perhaps Hincks understood the lot of the Irishman and wanted to help as much as he could. The incident also shows that, in Ross' judgment, Hincks was deserving of reward from the British government (in the form of the appointment of his brother to the Bishopric). There was a wider purpose as well- the appointment of an Irish bishop would help allay some of the passions that had hitherto existed. In making these arguments, Hincks and Ross were trying to ameliorate differences, which would in turn benefit the provincial credit and create a society more interested in progress than petty politics. This form of patronage can be called broadening, as well as personal.

Hincks was not interested in wholesale patronage- it had to have some direct political use and it had to be done with the overall goals in mind. He tried to keep the party support strong at the local level, as well as to attract businessmen using the draw of patronage along with development policies. It also had to be used so that the appointments did not arouse too much criticism- blatant patronage turned off as many supporters as it pleased. He particularly objected that during returning officer Vansittart's trial before the House, Reformers were applying for the about-to-be vacated job. With regard to this "most objectionable act", he told Shenston that "No member of the Executive Govt could properly interfere at all in this case & I was most anxious for my friends to keep quiet. They have none of them served themselves by putting themselves forward as candidates." He assured his friend that "I answered none of the applications made to me that I might be in a position to say that I had nothing to do with them. I have determined not to interfere at all with the appointment but to leave it in Notmans hands who will act just as well as I can do Of course the office will be given to a good Reformer."[55] Thus, at times, Hincks was not particularly happy with local patronage: it was difficult to satisfy everyone although he had little problem in knowing who could be useful for his own support and re-election.

When Shenston reported some complaints from Oxford about Hincks' remiss correspondence and his distribution of parliamentary papers (these letters and papers were given to supporters to keep them in touch with the capital and to make them feel important), Hincks responded on 13 February 1849 that he probably deserved some blame for not writing more often, but no-one could charge him "with laziness or indolence."[56] Further, he claimed that he had "distributed all parliamentary papers as well as I could" and he expected "that those who receive such documents will make them known"- he had "not sent a single paper to a Tory." He also wanted to know about any complaints Shenston heard "as sometimes in the hurry of business I overlook matters requirg attention." Later, he told Shenston he feared "that unless every Reformer in the Co[unty] could be appointed it would hardly satisfy them."[57] At the same time, Hincks was criticized for not naming Commissioners of the Peace, because he was "daily expectg old Graham's death": "I do not like the odium of dismissg a man on his death bed & yet I cannot recommend his reappointment - so much for this case - Is Graham likely to last long?" Hincks, it seems, was much concerned with appearances.

Militia appointments were also important in the various localities and had often been used for party purposes, almost invariably Tory before 1848. On 24 January 1849, MacNab observed that Hincks had been asking for recommendations for militia appointments in Oxford. He took the opportunity to complain that Hincks had chosen a person of dubious loyalty as Lieutenant Colonel of the Oxford militia over "others, who had been the first to do the duty which had been required of them...." Hincks eventually admitted that he had written to Colonel Whitehead, a Tory, but was satisfied that there was nothing incorrect about his method of making appointments. Although MacNab went on about disgraceful conduct, LaFontaine rescued Hincks by questioning some of MacNab's appointments, one of whom apparently turned out to be insane.[58] Later in the 1849 session, when the opposition charged that the militia was becoming politicized, Hincks countercharged that the "old system was exceedingly objectionable, for every Colonel of a Battalion was a Tory, and they sedulously excluded every Reformer from their lists for promotion...." Hincks assured the Tories that "reformers of the country were most modest, they only wanted fair play; they did not want all; out of 8 battalians [in Oxford County], they only took two."[59] Again, the imbalance was slowly being redressed with Reform appointments. The same was true with JPs.[60]

Hincks also made his supporters happy when he started a new type of appointment by recommending the establishment of a Board of Health at Woodstock. In a letter of 25 April 1849, Hincks proposed seven local supporters as members. The Executive Council sanctioned the recommendation on May 8.[61] Such appointments became very popular, as shortly thereafter David Thompson recommended the establishment of Boards of Health in nine communities in the Niagara District, and suggested fifty-one names, all of which were approved. E.S. Adams applied for a Board for St. Catharines; Read Burritt and H.J. Boulton, both MPs, recommended Boards for Prescott and Port Dover, and they were also granted.[62] These part-time appointments were meant to keep the localities happy: in the past, the Tories had used the militia in a similar way and the Reformers added to the practice with the creation of health boards.

Early in 1850, Hincks had more political and constituency matters to deal with. He went to Oxford in early January and held meetings in Woodstock, Embro, Ingersoll and Norwich. Vansittart apparently "presented himself at Woodstock and addressed the meeting - he was heard patiently enough until he tried to defend his conduct as Returning Officer, which was too much for the electors of Oxford to bear, and he was therefore compelled to bring his speech to an abrupt close." The Pilot noted that "A vote of confidence in Mr. Hincks and the Ministry was carried by acclamation."[63] However, his opponents thought that Hincks was having trouble. James Lesslie commented on Hincks' visit in a letter to W.L. Mackenzie, saying that "There is much dissatisfaction among his constituents I learn, the best evidence of that is the rejection of Mr Carroll, the Warden, (who I learn nominated Hincks at last election) from holding a seat in the County Council."[64]

The 1851 election was hardly over when John Ross advised Shenston to get to work for the next election: "You must set to work making votes against another election- They need not be recorded- get fathers to deed a part of their land to their sons."[65] In this way, the voters' lists were increased. Hincks was also concerned about keeping his electoral machine in good order, and he kept his word to Shenston that the ministry's opponents would not benefit and its friends would- as he had made considerable efforts to broaden the government's support, it had many friends. Hincks had to exert some influence, but he secured Shenston's appointment as registrar of the new county of Brant. He overcame the objection of David Christie by arguing that Brant contained part of old Oxford county, and that he had had no previous favour from the party.[66] Shenston perhaps solidified his case by dedicating his Oxford Gazetteer to Hincks.[67] Though Hincks lost the 1844 election in Oxford, he was careful to nurture his constituents, and was rewarded with successes in 1848, 1851 and 1854 despite his opponents' efforts to defeat him. The attention paid off.

When Baldwin said during the 1849 session that "it was not his party's advantage to use patronage...",[68] he was quite wrong. Hincks regarded patronage as important for family, friend, party faithful and those he hoped to bring into the party. Departmental patronage was thus an important tool for any ministry. As Inspector General, he controlled three hundred and forty-two paid positions, all of which were held "during pleasure": there were ten in his own office; and there were customs establishments throughout the Province, including collectors at every port (there were sixty-six), landing surveyors, landing waiters, appraisers, tide surveyors and waiters, lockers, coast officers, preventive officers, keepers and collectors of tolls on provincial bridges, two slide masters, district revenue inspectors, and secretary-treasurers, keepers of toll gates and gate keepers on the thirteen provincial roads. In 1850, the total expenses of the department amounted to over £35,000 and a brief perusal of the names shows nineteen who could be sons, close relatives or friends of MPs and councillors.[69]

Similarly, the Department of Public Works oversaw positions on the seven provincial canals, at nine provincial harbours, eight provincial bridges, every lock, road and slide in the province, and authorized surveys, repairs and construction when needed. The outlay in 1850 was £49,780. The Department of Crown Lands employed land agents and seigniory agents, contracted for surveys and managed the timber and mining resources. The post office was a huge patronage department. The system had grown from about eighty offices in 1827, but expanded tremendously after 1845. By the time of the transfer from imperial to colonial authority in 1851, there were 853 post offices.[70] In early 1855, there were about 1,300 postmasters and countless more clerks, letter-carriers and messengers.[71] James Morris, Postmaster General, wrote Isaac Buchanan on 12 January 1852 that his recommendation would be followed in the establishment of a post office at New Dundee, "and should you desire the appointment of Mr Millar as PostMaster I will thank you to say so. He is I presume a liberal in politics."[72]

The administration of justice concerned everything from judges and crown counsels to court clerks, magistrates, sheriffs and gaolers, as well as the attorneys and solicitors general departments.[73] A bureau of agriculture was set up in 1853. The government also controlled appointments to commissions of emigration, school commissioners, collectors of tavern licences, hospital commissioners and personnel at the Quebec Quarantine Establishment, the Lunatic Asylum and the Provincial Penitentiary. There was a Keeper of the Dissecting Room in Toronto, and he had to be appointed. There was also monetary patronage, such as the disposition of contracts for printing documents, advertising, buying stationary, furniture, and all the paraphenalia of government. Another kind of government patronage was the roads themselves, as can be documented in the case of James Beaty and the York Roads, and Peter Perry and the Whitby Harbour Road- the former for a friend; the latter to placate one of the old radical leaders.[74] Beaty had been a government commissioner in charge of roads for sixteen years according to the Pilot of 19 October 1850, but he had also been a losing Reform candidate in the Toronto election of 1847 and was a close friend of Hincks. Government departments therefore had thousands of positions at their disposal, and considerable influence under their control. Not all the positions were held by Reformers, nor did all of them have to be converted, but the government pressed its right to work with people it was comfortable with.

After the 1848 election, the Reform ministry was able to make appointments unfettered by gubernatorial control. The Tories were very critical of what they considered to be punitive patronage - the firing of officials or the withholding of favours because of their political opinions - and they got the opportunity to tackle the patronage aspect of responsible government as soon as the 1849 session met. On February 8, Robert Christie brought up three cases, charging that the administration, and Hincks in particular, had dismissed James Ferres from his position as Inspector of Revenue "on 'public notoriety', merely from the fact of his incidentally attending an election for Shefford...."[75] In addition, P. Stuart of Cornwall was dismissed from the office of Sheriff and A.B. Papineau lost his civil service job because "he entertained an opinion opposed to the School Act...." The member for Gaspé claimed that the ministry's "disgraceful" conduct in the case of Ferres meant that "the boasted system of responsible government, as therein exemplified, was nothing but an infamous bureaucracy ruling the country...", one that allowed "the satisfaction of venting their private spleen upon that gentleman." Christie may have been right: Hincks' correspondence immediately after the election, and especially in light of what Vansittart had done to him, showed more than an inclination of what he wanted to do to the Tories.

In the House, Hincks explained that if Canada were to keep to the British system of a permanent civil service, rather than change the whole bureaucracy after every change of government, those civil servants could neither vote nor take part in elections- if they did, it would be at their own risk. It seems that Hincks wanted the best of both worlds- a permanent and impartial civil service appointed by the Reform ministry from their friends. In any case, Hincks claimed that Ferres had "harangued" the electors at the hustings during the Shefford election, and in addition to "public notoriety", the present Solicitor General, L.T. Drummond, had made a written complaint. Since there could be no possible defence of Ferres' conduct, according to the ministry, his services were dismissed. The opposition did not accept Hincks' argument, but Baldwin backed his Inspector General: "Mr. F. held his appointment during pleasure of the Crown, which had the power at any time to remove him, provided the ministry assumed the responsibility of the act."[76] Later, MacNab remarked that the former sub-editor of the Pilot was put in Ferres' position. But Hincks said that "The person who got the office had nothing to do with the Pilot for I believe two years previous to that time."[77] MacNab also got Hincks to admit that Ferres' replacement was on the hustings at the Shefford election, and ended by criticizing the government for not dismissing officers who had voted for a ministerial candidate, such as happened in Three Rivers.

Baldwin defended the government's firing of Stuart, who had been an under-Sheriff, but was recommended by the previous administration for Sheriff, when his predecessor resigned to stand for election. The new ministry declined to make Stuart Sheriff, as there were many precedents, both British and Canadian, for such an action. Hincks argued that the previous administration had no right to make an appointment that opened charges of collusion between Stuart and the Sheriff, who, if he had lost, would have been reappointed as the former's partner. He thought that such a situation would be a violation of the law that "prohibited Sheriffs from interfering politically in elections, or from standing as Candidates...."[78] There was no explanation of Papineau's case, but presumably his dismissal involved the principle of a civil servant's willingness to carry out his political masters' policy. Papineau did file a petition asking for justice, as he claimed he had been "unjustly dismissed by the Government from his offices of Justice of the Peace and Commissioner of the Court of Small Causes without being heard in his defence...."[79] Nothing came of the complaint.

In 1850, one case particularly incensed the opposition: Mr. Stanton, Collector of Customs at Toronto, who had been appointed by Metcalfe in 1843. When the ministry "desired to secure that situation for one of their own people...[it] sent for Mr. Mendell [Meudell] from Brockville" to investigate Stanton, who "was promptly arraigned, tried, condemned and succeeded by Mr. Mendell...." Hincks claimed that "he had investigated [[the Stanton case] himself, personally," and that the government had acted on his report. Apparently, Stanton had allowed unacceptable deficiencies week after week, and in particular, he had once held back over £300. J.H. Cameron later took up the question of the dismissal, but Hincks was unmoved, despite Cameron's argument about that gentleman's long and faithful service and the bad precedent of having the investigator benefit by the dismissal of the subject of the inquiry.[80]

Another incident occurred in 1852, when John Rolph fired two Crown Lands accountants, presumably with Hincks' knowledge. W. Spink of the Legislative Assembly office wrote Mackenzie on 7 May that "They were told quietly this morning when they went to the office, by Dr Ford, that their services were no longer required." There was no reason assigned, but Spink admitted that he had "no sympathy for these two persons", as "They have been always inveterate tories, and injured the Government all they could in 1850, and I have no doubt it is owing to their injurious tattle against the new Commissioner that they have 'got the Sack' 'Served them right!'"[81] Some cases apparently could not be ignored.

The annexation crisis gave the Reform ministry the opportunity to take a decisive and loyal stand, and to dismiss or limit the influence of the disgruntled, whether they were Tories worried about the Rebellion Losses, or Reformers who wanted to join the United States. Patronage was very important in getting the government's message across. Hincks was not happy about his colleagues' passivity in the face of vocal annexationists like Peter Perry. On October 22, he sent a copy of his letter decrying annexation to Baldwin, asking that it be published.[82] Hincks also told Baldwin that he had seen Luther Holton on the steamer to Montreal, and was informed that Perry made "no secret of his annexation principles & that he read & commented on your letter at a meeting at Markham and then asked all those who were your friends to hold up their hands. There were none...." Hincks said that "if we remain passive while Mr Perry is active the fame is his own & our party is disgraced."[83] He then advised Baldwin to send some "confidential men" to ascertain public opinion in the riding, and particularly in Markham: "If we lie on our oars all is lost."

Four days later, Hincks was losing patience, as he had not heard from Baldwin and feared "there is an objection to my suggestion". He said that "The whole moral influence of the Governmt will be lost owing to the vacillating policy which we invariably pursue"; and that if the annexationists had been dealt with promptly, "they would have been down by this time instead of increasing in influence & numbers." He closed by stressing "that unless we dismiss these annexationists we are ruined. We dismiss Gowan an anti annexationist & disgust the men coming round to us and we refuse to dismiss men who are trying to revolutionize the Province."[84]

Ogle Gowan had been dismissed on 18 October from his Commission of the Peace and relieved of his militia commission[85] because of his attacks on Lord Elgin after the Rebellion Losses Bill had been passed.[86] Hincks' point was that Gowan and the Orange Order were at least loyal to the Crown- he did not think that disloyalty should be tolerated. This point is crucial, as Hincks was arguing that the party would be damaged by the way it was acting. He saw the opportunity of dismissing objectionable Tories for their annexationist sympathies, and that those positions would then be available for Reform purposes- either solidifying their base or trying to broaden it. This is what Hincks meant when he told Baldwin on 2 November "that the annexation movement will do us good."[87] The loyalty cry was not just a knee-jerk Reform reaction, though there must have been some satisfaction in calling annexationist Tories disloyal. Hincks' purpose was more subtle: he had been trying to work towards a better relationship with the Orange Order, capitalizing on his Irish connection. He realized that his work was being undermined by his colleagues, who were making an example of the wrong group, though Orangemen had been a traditional enemy of the Reformers. Nevertheless, this instance reveals Hincks' progressive nature- he was trying to reach out to new supporters but was hindered by Baldwin, the outdated leader.

One example of an annexationist being dismissed for his views is that of London mayor Dixon, who had been involved in the demolition of triumphal arches that had been set up to honour Lord Elgin's visit in the fall of 1849. In the 1850 debate on Dixon's case, MacNab argued that the Montreal annexationists were "loyal men who had, in former times, done their duty", unlike the Attorneys General, "who were the principle cause of the events which had given rise to a desire for annexation." Hincks pointed out that "the government of a former day" had dismissed employees "on the mere supposition that they were getting up public meetings of a political nature"; similarly, "magistrates were dismissed simply for differing in political opinions." He upheld the dismissals by arguing that "those who vindicated the severance of these Colonies from the Parent State, aid((ing)) in the dismemberment of the Empire, must not expect to retain offices of honour, power or emolument under the Crown."[88]

There are other examples of punitive patronage. After 1851, vocal criticism of Hincks' government came not so much from the conservatives, as from the radical wing of the Reform party. He believed that the incorrigible opponents of the ministry should not benefit from their opposition. W.L. Mackenzie was one victim of Hincks' use of patronage. Hincks wrote Mackenzie on 7 November 1851, as a matter of form, for a recommendation of someone to take the census in Haldimand.[89] This solicitation seems to have been customary, as well as a courtesy to MPs who supported the government, though the final say rested with the minister or cabinet.[90] Mackenzie complained to Rolph on 2 January 1852 that his advice had been ignored. He had written "Mr Hincks, at Oxford, that I would enquire and find a man fit for the ofice of taking the census for Haldimand." Hincks "did not reply", and though Mackenzie recommended someone, "The Gazette, a few days after announced John G. Stevenson as the person appointed, doubtless on the Sheriff's advise." He complained that "A person more opposed to me they could not have chosen."[91] Mackenzie also complained that the April Commission of the Peace "all were Brown men but 3 and they were McKinnon men"; similarly, he had been first informed of "a variety of recent additions to the militia officers" in the Canada Gazette- he wanted "to know if, as Member for a County, I am not to be consulted in its concerns?" Hincks explained that Mackenzie's recommendation for census commissioner had arrived too late, saying that "The appointments were determined on before my arrival & those members who had not sent recommendations must blame themselves not me." Since "the census [had] to be taken in Jany...no time was to be lost. In your Co the person selected is the Clerk of the Peace Mr Stevenson who I hope will prove efficient."[92] It is doubtful that Mackenzie believed such an excuse- he considered himself persecuted.

Newspapers were also political tools of the first importance in supporting and spreading a party's ideas. For the party in power, patronage was used to help support its presses. There are many examples of newspaper patronage, and Hincks well knew the benefit that could be conferred by judicious distribution of government contracts. Though his connection with the Examiner and the Pilot had not provided much opportunity for patronage - hence his need to be supported by the Reform party - Hincks always tried to ensure solid newspaper support for the ministry. After he left the editorship of the Pilot in early 1848, he passed the paper to nephew William Hincks. Thereafter, the Pilot received various printing contracts from the Ordnance and other government offices. However, part of the growth of a successful party system was to ensure strong support from the press, and in so doing impress the public with the weight of editorial opinion favouring government policies. At the same time, another object was to try to diminish the influence of the opposition press.

Even before Hincks returned home from England in late 1849, he heard that annexationist newspapers were receiving government patronage. Grey passed this information on to Elgin on September 22, saying "that some Government advertisements are still given to the most violent and treasonable Papers published in Canada and not to those which support the Government...." Grey thought it "intolerable that there should be any encouragement given by the Government to these vile Papers" and asked Elgin to "inquire about it, and if you find that you can stop the abuse pray do so...."[93] Shortly thereafter, John Young also informed Elgin that "the 'Herald & Gazette' managed by low and bad minds, also boldly advocate annexation." He echoed Hincks' observation and suggested that "All the Government (I mean the Ordnance contracts, Commissary General &c) advertisements...be sent to the 'Transcript' & 'Pilot' instead of the 'Gazette' and 'Herald' and that none should be sent to the two latter."[94] These printing contracts could make a paper profitable, and the Reform press (particularly papers like the Globe, Pilot, La Minèrve and Le Journal de Québec) were quite anxious that they should benefit more than the Tory annexationist papers.

It was important to give business to the larger papers, but local ones also had to be looked after. The Woodstock Progress had been established during the 1851 election campaign to support Hincks and the ministry. Hincks had helped get it started, and he put more money into it in 1852, telling Shenston that "I shall do all I can to support that journal". He added that "It is the policy of the Governt to give the patronage to its friends & I enclose letters for the Sheriff & Clerk of the Peace on the subject of official patronage- It [the Progress] will also get the P.[ost] Office. This ought to help it."[95] Hincks got John Ross to subscribe some money for the Progress to help pay for the editor's salary. And Ross referred to the time that both he and Hincks "had to contribute to the North American fund at the time of the new combinations-"[96] Later in 1852, Charles Lindsey reported to Mackenzie that "Mr. [James] Lesslie has got the custom house printing value £300- of course that has no effect upon his politics."[97] Yet such inducements probably kept Lesslie happy and the Examiner in line.

Early in 1853, there was a report that Charles Donlevy, the Irish Catholic publisher of the Toronto Mirror, was meeting with "Bowes, Gowan, Hogan & other orangemen...to determine future operations."[98] The Mirror supported Hincks' government, "frequently lashed out against the racial and religious intolerance both of the Clear Grits and of George Brown",[99] and was perhaps trying to help ease the differences between the administration and the Orange Order. These examples show that the press was considered to be necessary in spreading the government's message, and that Hincks and the cabinet contributed to the starting costs and upkeep of their supporters' newspapers. Hincks undoubtedly remembered his own struggles as an editor-proprietor.

There were at least three newspaper conversions directly related to Hincks' ministry. The first was mentioned by Clear Grit G.B. Thomson, who was Rolph's secretary in the Crown Lands department: he wrote Charles Clarke of the Elora Backwoodsman that the Quebec Gazette "was a tory concern till the Govt went down there [Quebec, in 1852] and became the organ for the sake of the patronage." Thomson added that "Its publisher [Robert] Middleton is a conservative, a violent Wesleyan Methodist...a ninny & a nobody and the Govt are served right for giving consequence to him by employing so contemptible a man to do their (dirty) work." It seems that for Middleton, the prestige and benefit of being government organ was important, but he had worked for that position in his management of the Morning Chronicle, which had supported the LaFontaine-Baldwin ministry. He was also in the right place after the decision had been made to alternate parliaments.[100]

There were two other conversions in 1853, and a look at the St. Thomas Weekly Dispatch of 18 August 1853 shows that the ministry was succeeding in winning opposition support. The lead editorial was a response to an attack on the Dispatch by the Hamilton Spectator, which related that the St. Thomas paper had been "started by the publisher of the London Times, with a view of monopolizing the Conservative patronage in both Elgin and Middlesex." The situation had changed, the paper would not pay anymore, so the Times struck "a bargain with his own foreman- gives him possession of the press and types, and lo! out comes the next number [4 August 1853]...with the announcement that it had changed hands and also its principles...."[101] Thus, the Dispatch was now run by Mr. P. Burke, who supported the Hincks administration.

The same editorial also referred to the defection of Vansittart to the Reform cause. The Woodstock British American and John G. Vansittart "did...without any namby-pambyism, step forward manfully to give a generous support to the Hon. Francis Hincks and the administration with which he is associated in the measures already carried, and in the course adopted to promote the prosperity of the country":

> It would appear that Mr. Vansittart, like a man of good sense, has calmly and carefully reviewed his political position with himself and his friends, and, having done so, has arrived at the only conclusion that a candid and unprejudiced mind could arrive at, namely, to give his support in future to the friends of those progressive Reforms that are advancing the material interests of Canada, and promoting the peace and welfare of the people.[102]

It seems that Hincks had won over an old enemy and three papers joined the Reform cause in mid-1853. Shortly before, the Toronto Leader was established by Hincks' friend, James Beaty, to support the government in Canada West. One visible measure of the ministry's strength was press support, and during the scandals a considerable number remained loyal to Hincks: nineteen of twenty-five Reform papers according to the Leader.[103]

Finally, Hincks was quite concerned about broadening Reform support, and patronage was used to try to attract both Conservatives and Clear Grits to the ministry's policies. What I call "broadening patronage" was successful if it brought new support, or curbed or eliminated opposition. Just as development policies appealed to the interests of opponents, patronage could be used on an individual level to gain support, and appointments could be publicized in an attempt to win wider acceptance. Joseph Lesslie wrote Mackenzie early in 1850 to say that Hincks had "chiselled" his nephew into a clerk's position in the court of judge Robert E. Burns: "It is rumoured that Hincks took advantage of Baldwins illness to settle the Judgeship difficulty and that the Governor demurred to the movement without Baldwins signature to the arrangement. At all events the Gazette was held back a day beyond the ordinary time, and perhaps the above was the cause of it."[104] There is no evidence that Hincks took advantage of Baldwin's illness to appoint Burns. The point that should be stressed is that Burns was a Tory, though he had already done much work for the Reform government: he had served on two commissions, one investigated the Court of Chancery and reported in 1845, and the second inquired into the affairs of the University of King's College and Upper Canada College.[105] B.H. Morrison's biography stated that Burns received the judgeship "Through the influence of Francis Hincks", but there is no evidence to connect the two other than Hincks' policy of appointing well-known, middle-class Conservatives- Burns had been a law partner of Christopher Hagerman (former Compact Attorney General), Philip Vankoughnet, and John Duggan. However, he had also just been one of the incorporators of the Toronto, Simcoe and Huron Railroad Union Company,[106] an indication that he was a Conservative of the right type. H.J. Boulton had wanted the judgeship,[107] and complained about his treatment, but there is no doubt that Hincks and Baldwin did not want him - he carried too much political baggage and had little support- although he was also an incorporator of the Toronto, Simcoe and Huron.

The question of patronage was a subject of great interest in Toronto in October 1850. There were rumours "that some ten silk gowns are about to be distributed among the deserving of the Upper Canada Bar- two for Tory lawyers of distinction."[108] Another interest was the appointment of a Recorder, which was a new office created by the Municipal Act. The Pilot's Toronto correspondent noted in his letter of October 25 that George Duggan had been recommended by the Corporation, but such a man, representing the Tory-Orange element, "is certainly not worthy of the favors of a Liberal Administration...."[109] Hincks, however, had a different view, as he wrote Baldwin that "it would be good policy to act on it...." He mentioned that the case was very similar "to the Kingston one when we confirmed the recommendation of the Kingston Corporation...." Further, he said that "If we are to give it to Duggan let it be done at once before any of our friends commence applying and I am sure that we should give satisfaction to a great many and that we should not suffer politically by it."[110] Hincks was pursuing a broad strategy, trying to win over Conservatives and Orangemen for the Reform party- the enemy of the moment was the extreme wing of his own party.

In order to cover his tracks somewhat, the official reason put out for Duggan's appointment was quite different. The Pilot's Toronto correspondent reported on 30 December 1850 that Duggan's appointment "has given much dissatisfaction", but that the government had little choice because of "the unanimous recommendation of the City Council, tendered agreeably to law." The Pilot put what seemed to be the best face on the question, saying "that the ministry could not, consistently with their general principles, do otherwise than interpret it liberally."[111] The writer also noted that the chief objection to Duggan "was his reputation as an Orangeman; but I am informed that he satisfied the Government that he withdrew from all connection with the Orange body more than three years since." However, Hincks and many others knew that he had "been deputy county master for East York in 1848-49, and junior deputy grand master for British North America in 1849-50."[112] Barrie Dyster explained the appointment as an attempt by the government "to buy Orange neutrality if not support", but it was not "grudgingly" done, if Hincks can be believed. It was part of his continuing efforts to bring the Orangemen into the Reform camp. Duggan had also been born in County Cork, and this connection might also have influenced Hincks. Nevertheless, he had to be careful- even the Pilot thought the appointment would harm the government and that "No excuse or palliation can be offered for it."[113]

Another appointment, that of former Tory mayor George Gurnett as Toronto's first police magistrate, was met with more favour. The corporation had also recommended Gurnett, but he seemed more acceptable to the Reformers because he had visibly broken with the Orange Order, he had been a good administrator, and he had refused "to sign a petition protesting the 1849 Rebellion Losses Bill."[114] Historian Fred Armstrong noted that "Approval of his appointment in the radical and liberal press showed how the times and Gurnett's image had changed." Greg Kealey cited the appointments of Gurnett and Duggan, and the characters of Bowes and Gowan as evidence "about the new consensus of the 1850s."[115] Even the Pilot noted that "the progress of Reform principles throughout Canada is as remarkable as it is gratifying": "Every day brings forth fresh converts to the Representative system- even the most bigoted Tories are compelled to admit that by no other system can Canada now be governed."[116]

The new atmosphere was reflected in the municipal elections in Toronto, so the Pilot reported, where "Neither politics nor religion inflamed the voters, and yet a fair proportion of liberals have obtained seats". The examples given include "an Irish Catholic, Mr. Hayes, who from his upright character as a Merchant and a member of society, was supported vigorously by many leading Orangemen." George Ridout was mentioned as the likely mayor: "...he is a Merchant of high and long standing, of the moderate Conservative party, inclining, it is understood, a good deal to the liberal interest."[117] Ridout was narrowly defeated, but he did win a Toronto seat in the following provincial election, after which he advocated policies to enhance Toronto's commercial sector.[118] Thus, Hincks was attempting to smooth the electoral waters: with everyone's attention focused on municipal and provincial development, it was in no-one's interest to stir up passions.

One measure of how quickly the political situation was changing was the re-appointment of former mayor and annexationist T.C. Dixon to the London magistracy: though he had been "summarily dismissed" for agitating against the Rebellion Losses Bill in 1849, he had since recanted his annexationism, and had been exonerated by being elected to the Assembly. His restoration to the magistracy, the Dispatch argued, "is quite judicious, and consistent with the due discharge of executive power."[119] Hincks was continually trying to placate certain of the opposition. The same issue of the St. Thomas paper also included a report of officials (sheriff, clerk of the peace, registrar, county judge and county clerk) about to be appointed for Elgin. According to the London Times, they were "all radicals to the back bone", but the Dispatch thought "the selection is exceedingly good": "The reform party will have just reason to feel satisfied with the appointments, in case the foregoing gentlemen are chosen by the Government, which is highly likely." Hincks was also looking after the followers of the Reform party.

While the Reformers had done fairly well in the 1851 elections, the Clear Grits had increased their representation. The ministry was somewhat worried about meeting Parliament, since Ross was preparing his own county (Hastings) and advising Shenston to get busy in Oxford, anticipating a possible early dissolution because of "The state of parties in the House...."[120] Perhaps it was for this reason that Hincks took quite a bit of time with W.L. Mackenzie before Parliament met in August 1852. Mackenzie wrote Hincks, accusing him of trying to buy him off with an office. Hincks responded on 2 July that Mackenzie had got it wrong, that he had never been considered for either the postmaster of Toronto, or, even more "absurd", the Postmaster Generalship. It also seems unlikely that Hincks would have been naive enough to try to bribe Mackenzie with a job; it is more likely that Mackenzie's overactive imagination was again at work.[121] Still, Hincks realized that some effort would have to be devoted to keeping the advanced Reformers - Mackenzie, Brown and the Clear Grits - at bay or placated if the government hoped to continue.

John Rolph wrote Mackenzie in mid-1852, asking if he approved the appointment of Joseph Lesslie to the Toronto post office. Mackenzie replied on 8

May that he did approve, "most sincerely", as "Few men of the real reform party have been honored or advanced...."[122] Nevertheless, Mackenzie's advice on appointments was studiously ignored.[123] The ministry tried to use patronage where it would do the most good, and one of the objects was to keep the Clear Grits muzzled, to use Ross' term, for the time being- that was why Rolph and Cameron were brought into the cabinet. The policy was generally successful, too. David Christie of Brantford, an advanced reformer, wrote Mackenzie at the end of 1852 that he would help get subscribers for Mackenzie's new Message "because I am convinced that you are honest in your attachment to Reform principles and because I know that you have done and suffered much for your principles." But he told Mackenzie that "we differ on some points. I am not yet convinced that the present Govt are dishonest, and I do believe they are the most liberal Govt we have ever had. I am disposed to stand by them when they are right, & like you never think of comparing them with the Tories."[124] Christie later opposed Hincks, but was inclined to give him the benefit of the doubt at this stage- the ministry's patronage and policies were having the desired effect.

Of course, the more cynical supporter of the ministry was aware of what was going on. Hincks' system was not designed to keep everybody in line, and men like William McDougall and W.L. Mackenzie were not satisfied with the direction Hincks was taking the party: they objected to his willingness to appoint Conservatives, Orangemen, and Irishmen, while ignoring the demands of the more advanced Reformers. McDougall wrote Rolph on 12 December 1852 that he was having problems explaining the ministry's policy, and that of Malcolm Cameron, saying "that the principle of action among politicians now-a-days is this- get all you can for yourself and let those who have helped you look out for themselves-" Such an attitude was "not calculated to give very exalted views of human nature or of the honor that obtains among politicians."[125] McDougall was also upset that he was not receiving much support: he had lost a lawsuit, was ordered to pay damages, and thought he deserved compensation from the party. He had talked with Richards in Quebec about the North American's problems, as well as "the threatened disorganization of the party through mismanagement", but had heard nothing since. He was quite disillusioned with the government's appointments and demeanour.

Mackenzie also had little faith in the system. He noted early in 1854 that the Legislature, when it met, "will wrangle, quarrel, pass bad bills- few good ones- scold- adjourn, and then we may have our election or none in 2 months or 6 months...." He did not think that many members had "confidence in the people--most men that go to Quebec, go to benefit themselves--and they do it. They know that the people, when they have given a seat, can give no more--and they play Hincks' game and profit by it." After thirty years in politics, he observed "that if a man intends to br [sic] really honest, he should be well off before he seeks a seat--then he can stand what may happen...."[126] Mackenzie, too, was not impressed with the Hincks ministry, and he was bitter that his efforts had not met more success. His musings, though, underscore the appeal of interest politics.

The problem that faced those who opposed the ministry and who knew what was happening, was that they did not receive much support. Brown's paper certainly did well, but it had done well before he split with the Hincks government. One of Mackenzie's constituents, R. Martin, wrote to ask his influence in securing the position of Revenue Inspector for his son. Martin explained that he did not want "to exclude Tories from the Commission of the Peace"; both Tories and Reformers should be appointed although there was "no reason to appoint a person to that office who is a Tory that would not be acceptable to the people if he was a Reformer-" But Martin expressed his sorrow that Mackenzie did "not approve more of our present Govt than you seem to do- all things considered I think they have done well, & if to get a faster Team they were sold off, you would see the old Tory Slow Coach at work once more- this I *rather* think *you* would not like nor I either."[127] Mackenzie had quite a few correspondents who supported the ministry despite his attacks in the House and in the *Message*. Robert Spence of Dundas, a Hincksite in Parliament after the 1854 election, while asking for a subscription to the *Message*, did not agree with Mackenzie's view of the government. He rationalized his support, saying "that at least they will give us an instalment of the promised measures...and if not prepared to assume the responsibility of ejecting them then by all means give them a fair trial and afford them a generous confidence."[128] Spence argued that everything could not be done at once and that Reformers should "*go for the accomplishment of one point at a time*". He thus urged Mackenzie to be practical. Hincks had said the same to Baldwin and LaFontaine in 1841. These examples are representative of support for the ministry's policies and the way patronage was used. There were certainly many who disapproved and voiced their opinions in letters to Brown and Mackenzie. However, as long as the ministry was seen to be doing good things for the province, most were willing to go along. That is why Hincks' development policies were so important and popular. They also show the power of attraction that interest-oriented policies had at the time- people were drawn to Hincks' "good measures" whether they liked him or not.

Thus, for Hincks, the two primary uses for patronage were to bolster the party and broaden its support. Before the Union, the Reformers were quite aware of the value of patronage and were often the victims of its usage- Tories were appointed and Reformers usually ignored. The united Reform party was created on the principle of responsible government, and the enticement of patronage was used to appeal for French Canadian support. The changes brought by the Union made necessary a new approach to patronage. In this, Lord Sydenham may have had more influence on Hincks than he cared to admit. Sydenham, a businessman-politician himself, set out to act as his own prime minister, drawing support from the moderates of both parties and excluding the extremes- the Compact Tories and radical Reformers. His goal was to enhance the province's development under the new union, and to do so by appealing to common business sense. Hincks was Sydenham's most important convert and he witnessed the effect of broadening the middle ground by using the twin strategy of judicious patronage and development policies. The lesson he learned was that exclusive parties did not work well in the Canadian context, and that compromises and coalitions had to be sought. Hincks simply went one step further than Sydenham, since he had already accepted the necessity of an alliance with the French Canadian Reformers.

This attitude is reflected in Hincks' actions while he was Inspector General in 1842-43- he was not concerned with appointing Reformers exclusively and he urged a moderate course on his colleagues. In order to keep the confidence of the Governor General, Hincks argued that men from both parties had to be appointed: within such guidelines, though, there was considerable room to work, and Hincks' strategy was to attract moderate, middle-class, business-minded Conservatives, who would add strength to the "middle class" Reform party as well as isolate the "aristocratic" Tories. Such a course differed from that of Baldwin and LaFontaine, since to them responsible government was extremely important as a principle- it held that patronage was the responsibility of the majority party, and that appointments should be made to strengthen that party. As Hincks hardly wanted to weaken the party, he did not disagree. But he was not so exclusive: he was more willing to use men who were not died-in-the-wool Reformers, and he was more concerned with building the middle-class, business-oriented nature of the party. Baldwin and LaFontaine had much more difficulty than Hincks did in accepting the appointment of Conservatives, though there were certainly men Hincks would not appoint. In any case, the break with Metcalfe, a career civil servant, came when the Governor General seemed to be taking over the appointments himself, without any consultation, and gave positions to men even Hincks thought were objectionable.

After 1848, Hincks continued to develop the patronage strategy he had followed earlier. Localities were an important consideration, and they were maintained and strengthened with the appointments of JPs, school and other commissioners, militia officers and boards of health. The case of Oxford provides a clear example that Hincks was concerned with securing his electoral base, and his success can be measured in his six victories, losing only once between 1841 and 1854. Patronage was also denied those who opposed the ministry. George Brown lost newspaper advertisements and official support after he split with Hincks in 1851, and W.L. Mackenzie's advice on constituency appointments was always ignored. Hincks also appealed to moderate Conservatives and made a particular point of trying to win over the Orange Order- in this attempt, the ethnic factor of a common Irish background was quite important. In Toronto, where the Corporation was virtually run by Orangemen, Hincks had much in common with mayor John Bowes and councillor Ogle Gowan. The offer of a dinner in 1853, though turned down, illustrates that appointments to men like George Gurnett and George Duggan were as popular as the coming of the railroad. Hincks went out of his way to appeal to the Order, though he had to be careful not to lose the support of his more traditional Reform friends. Ogle Gowan's support of Hincks and Bowes during the £10,000 Job shows just how far both the Order and Hincks had come to meet on common ground- the antipathy of 1842-43 was soon forgotten when interests were at stake.

Finally, the use of patronage was an important part of interest politics. Hincks used interest to implement the principle of responsible government and strengthen the support of the majority party in the House. Patronage- the offer or potential offer of positions within the government, and the use of influence in businesses that dealt directly with the government and its friends- was an extremely valuable tool. Hincks' policy contrasted with that of Baldwin and LaFontaine, who had their own ideas about the use of patronage- both delegated to regional lieutenants who were instructed to bring the previously-excluded Reformers into the system, and to assure that the French Canadian presence in government appointments was a reflection of their importance to the united Reform party and the province.

Patronage was as necessary in Canada East as it was in Canada West, but for different reasons: the Reform party in the former had little opposition outside the cities and the Eastern Townships and its overwhelming strength did not depend on a few hundred patronage positions. The acquisition of patronage was a symbolic victory, in the sense that French Canadians controlled their own destiny to a greater extent than before; and it was a practical victory because it allowed the appointment of people so long excluded.[129] In Canada West, Hincks did not delegate this power, as he had to deal in an effective way with a strong, firmly entrenched Conservative party, and to try to broaden the Reform party to encompass the middle ground so necessary for electoral success. In this sense, his patronage and development policies appealed directly and indirectly to the interests of moderate Canadians, and it was his groundwork that made the Liberal-Conservative coalition of 1854 such a painless occurrence. Macdonald and Cartier thus benefitted from Hincks' political handiwork, and they simply followed his well-laid-out example.

[1] D.E. Smith, "Patronage in Britain and Canada: An Historical Perspective", *JCS*, 22, 2 (Summer 1987), 42-4.

[2] Reg Whitaker, "Between Patronage and Bureaucracy: Democratic Politics in Transition", *JCS*, 22, 2 (Summer 1987), 59.

[3] Jeffrey Simpson, *Spoils of Power: The Politics of Patronage* (Toronto, 1988), 12.

[4] Aileen Dunham, *Political Unrest in Upper Canada 1815-1836* (Toronto, 1963), 36-7.

[5] Mason Wade, *The French Canadians, 1760-1967* (Toronto, 1975), 1: 143. Resolution 75 indicated that only 47 of 194 public offices were held by French Canadians - it did not need to say that most of them supported the English regime.

[6] G.M. Craig, *Upper Canada: The Formative Years, 1791-1840* (Toronto, 1963), 223.

[7] Simpson, *Spoils of Power*, 46-7.

[8] NAC, *LaFontaine Papers*, Hincks to LaFontaine, #102, 17 June 1840, 3-4.

[9] *Ibid.*, #109, Hincks to LaFontaine, 28 August 1840.

[10] *Ibid.*, Hincks to LaFontaine, 11 November 1840.

[11] See Irving Abella, "The 'Sydenham Election' of 1841", *CHR*, 4 (December, 1966), 326-43; and George Metcalf, "William Henry Draper", in J.M.S. Careless, ed., *The Pre-Confederation Premiers* (Toronto, 1980), 44.

[12] See Chapter 2- The Apprenticeship of Francis Hincks.

[13] *Ibid.*, #154, Baldwin to LaFontaine, 17 December 1841.

[14] NAC, *Bagot Papers*, 7: 260, Bagot to Stanley, 12 June 1842.

[15] Ferguson lived in Peterborough, had been in Canada nine years, had letters from the rector there as well as the Bishop of Toronto, and had previously been a bookkeeper in a West Indian "mercantile house".

[16] *Bagot Papers*, 6: 406, Hincks to Bagot, 21 July 1842.

[17] *Ibid.*, 8: 14-5, Bagot to Hincks, 24 July 1842. Little is known about the later career of Ferguson- he had left the Inspector General's Office by 1848, but seems to have contested the Peterborough seat in an 1856 by-election for the Reform party and lost to W.S. Conger, who supported the Conservative government. See *DCB*, 9: 149. Hincks may have been responsible for converting his first Conservative appointee to the Reform cause.

[18] G.P. de T. Glazebrook, *Sir Charles Bagot in Canada: A Study in British Colonial Government* (Oxford, 1929), 52. MacNab did not take the job, which was supposed to get him to accept the union as a *fait accompli*.

[19] Jacques Monet, The Last Cannon Shot: A Study of French-Canadian Nationalism, 1837-1850 (Toronto, 1969), 116-7.

[20] MTCL, Baldwin Papers, LaFontaine to R. Baldwin, #20, 26 November 1842, 1.

[21] Glazebrook, Bagot in Canada, 123.

[22] Stanley to Metcalfe, 29 May 1843, in Smith, "Patronage in Britain and Canada", JCS, 22, 2 (Summer 1987), 41.

[23] MTCL, Baldwin Papers, #25, Hincks to Baldwin, 15 June 1843.

[24] Ibid., #26, Baldwin to Hincks, 16 June 1843. Hincks had mentioned a saddler named Dixon, two tailors, named Preston and Beame, and shoemaker James Beaty. The latter became a close associate of Hincks.

[25] F. Hincks, Reminiscences of His Public Life (Montreal, 1884), 107-8; see also H.B. Neary, "Robert Stanton", DCB, 9: 741.

[26] MTCL, Baldwin Papers, A39: #98, W.S. Conger to Baldwin, 19 September 1843, 1.

[27] Monet, Last Cannon Shot (Toronto, 1969), 142-4. Ogle Gowan, D.B. Viger, D.B. Papineau, Peter McGill, John Neilson and R.E. Caron were mentioned.

[28] Hincks, Reminiscences, 108.

[29] Metcalf, "Draper", in Careless, ed., Pre-Confederation Premiers, 51. Draper did appoint businessman W.B. Robinson as Inspector General, but he resigned in April 1845 and came back in June 1846 as Chief Commissioner of Public Works. William Cayley and John A. Macdonald were other notable appointments.

[30] Ibid., 50-74.

[31] See Monet, Last Cannon Shot, 193-261; and NAC, Chauveau Papers, MG24 B54, 2: 1-173, correspondence on the 1847 negotiations.

[32] Hincks, Reminiscences, 135-41.

[33] MTCL, Baldwin Papers, A39: #102, Conger to Baldwin, 20 May 1847, 2.

[34] In this period, John A. Macdonald was certainly active in suggesting and making appointments. See J.K. Johnson, ed., The Letters of Sir John A. Macdonald, 1836-1857 (Ottawa, 1968), 30ff.

[35] J.M. Ward, Colonial Self-Government: The British Experience 1759-1856 (Toronto, 1976), 267.

[36] Ibid., 280.

[37] A.G. Doughty, ed., Elgin-Grey Papers (Ottawa, 1937), 1: 119-20, Elgin to Grey, 22 January 1848.

[38] NAC,Merritt Papers, Baldwin to Merritt, 4 February 1848, 3590-1.

[39] MTCL, Baldwin Papers, A43: #49, Durand to Baldwin, 24 January 1848, 2-3.

[40] Monet, Last Cannon Shot, 277-81.

[41] Carol Wilton-Siegel, "Administrative Reform: A Conservative Alternative to Responsible Government", OH, 78, 2 (June, 1986), 112.

[42] R.S. Longley, Sir Francis Hincks (Toronto, 1943), 129.

[43] See DCB, 9: 266. Colonel James Fitzgibbon was given the appointment.

[44] Gerald Boyce, Hutton of Hastings: The Life and Letters of William Hutton, 1801-61 (Belleville, 1972), 9, 89, 91-4, 100-1, 106.

[45] Ibid., 103, 107, 117, 122, 149.

[46] Ibid., 151, 154-5.

[47] Ibid., 157, 23 July 1848, 164; see also Doughty, ed., Elgin-Grey Papers, 4: 1635.

[48] Boyce, Hutton of Hastings, 165.

[49] AO, W.L. Mackenzie Correspondence, 7355, Lesslie to Mackenzie, 23 January 1850.

[50] Ibid., 178, 183-4, 191. He began with a salary of £125, received £225 on his 1853 promotion, and by July 1854, he was making almost £400 per year, plus £200 from his farm; by May 1855, his salary was £480.

[51] AO, Hodgins Papers, Hincks to Ryerson, 30 January 1854, 1-2.

[52] NAC, Newcastle Papers, Hincks to John Ross, 6 July 1853.

[53] AO, Hodgins Papers, Hincks to Ryerson, 30 January 1855, 3-6.

[54] NAC, Newcastle Papers, Ross to Henry Roberts, 9 July 1853, 6-8. The question of choosing Hincks' brother as bishop split the eastern Anglicans for many years, but finally, in 1861, an Irishman, Dr. James Travers Lewis of Brockville, was elected Bishop of Ontario; and the bishop of London, elected in 1857, was also an Irishman, Reverand B. Cronyn. See J.S. Moir, Church and State in Canada West (Toronto, 1959), 5.

[55] See Debates, 1849, 1: 652; and MTCL, Shenston Papers, Hincks to Shenston, 26 February 1849.

[56] Ibid., 13 February 1849.

[57] Ibid., 26 February 1849.

[58] Debates, 1849, 207-9.

[59] Ibid., 2: 1221.

[60] See Chapter 6- Hincks and the Power of Interest. Between 1848 and 1851, Hincks appointed thirty magistrates in Oxford, including Tory J.G. Vansittart - there were 78 in total, and apparently three-quarters voted for Hincks. Brian Dawe, Old Oxford is Wide Awake (1980), 83.

[61] NAC, Canada, State Books, RG 1 E1, vol. J, 8 May 1849, 88.

[62] Ibid., 99-101, 103-4, 154.

[63] Pilot, 12 January 1850, 2.

[64] AO, W.L. Mackenzie Correspondence, 7354-5, Lesslie to Mackenzie, 23 January 1850.

[65] MTCL, Shenston Papers, Ross to Shenston, 9 December 1851.

[66] Ibid., Hincks to Shenston, 14 February 1852; and Christie to Shenston, 17 May 1852.

[67] Ibid., Hincks to Shenston, 28 June 1852; see also two letters written by Hincks to the Brant electors about the registrarship.

[68] Debates, 1849, 1: 550.

[69] Leon Fournier, Thos. J. Taschereau, Angus McDonell, J.B. Roblin (former MP), - Beatty, Alexander McDonell, Thomas Parke (former MP), G. McMicken (former MP), J.P. Dunn, Francois Delisle, Augustus Thibodo, J.M. Lemoine, Joseph Lesslie, John Galt, J.W. Mills, William Rose, R.K. Chisholm, W.F. Meudell, and D. McDonald. These names were included in an appendix to a report by Merritt and Hincks for the retrenchment committee- the appendix was titled "Return of the Audit Branch of the Inspector General's Office, 9 July 1850", 5-8.

[70] DCB, 9: 743.

[71] When Mackenzie argued early in 1855 against allowing the minister discretion in raising postmasters' salaries, a power which he thought would be used to induce those officials to work for the government that employed them, Hincks responded that this was "absurd", since postmasters were made up "of every shade of politics who had no time for political canvassing." Debates, 1854-5, 2890.

[72] NAC, Buchanan Papers, 39060-1, Morris to Buchanan, 12 January 1852.

[73] For the role and extent of the Attorney General's department, see Paul Romney, Mr. Attorney: The Attorney General for Ontario in Court, Cabinet, and Legislature 1791-1899 (Toronto, 1986).

[74] See Chapter 3- Hincks as Businessman-Politician. Beaty's acquisition of the York Roads for £75,000 led to a minor scandal in August 1850, but Hincks defended the deal in a letter to the Warden of York County. Pilot, August 24, 27, 29, September 3, 12, 26, October 19, and November 7, 1850.

[75] Debates, 1849, 1: 541.

[76] *Ibid.*, 550; see 1849, Appendix L.L. for correspondence.

[77] *Ibid.*, 2: 1128.

[78] *Ibid.*, 1: 552-3, 555; see also Appendix J.J.

[79] *Ibid.*, 2: 927, 1009; see also Appendix P.P.

[80] *Debates*, 1850, 1: 221, 226-7, 239-40.

[81] MTCL, *W.L. Mackenzie Correspondence*, 8612, Spink to Mackenzie, 7 May 1852.

[82] *Ibid.*, 525, Elgin sent a copy to Grey and referred to it on 25 October 1849, but it was not in the collection.

[83] MTCL, *Baldwin Papers*, A51: #70, 1-2, Hincks to Baldwin, 22 October 1849.

[84] *Ibid.*, #72, 26 October 1849.

[85] NAC, Canada, *State Papers*, Executive Council Minutes, vol. J, 454, 18 October 1849.

[86] *DCB*, 10: 312, and see also 1849, Appendix W.W.W.W. for correspondence on Gowan's dismissal.

[87] MTCL, *Baldwin Papers*, #74, 2 November 1849, 3.

[88] *Debates*, 1850, 1: 222-4.

[89] AO, *W.L. Mackenzie Correspondence*, 8236, Hincks to Mackenzie, 7 November 1851.

[90] There is nothing in the primary or secondary material I have seen as to the origin of this practice.

[91] NAC, *Rolph Papers*, 148-50, Mackenzie to Rolph, 2 January 1852.

[92] AO, *W.L. Mackenzie Correspondence*, 8347-8, Hincks to Mackenzie, 31 December 1851.

[93] Doughty, ed., *Elgin-Grey Papers*, 470, 22 September 1849.

[94] *Ibid.*, 524, John Young to Elgin, 10 October 1849, in Elgin to Grey, 19 October 1849.

[95] MTCL, *Shenston Papers*, Hincks to Shenston, 13 January 1852.

[96] *Ibid.*, Ross to Shenston, 2 February 1852.

[97] MTCL, *W.L. Mackenzie Correspondence*, 9028, Lindsey to Mackenzie, 14 October 1852.

[98] AO, *Clarke Papers*, McDougall to Clarke, 3 February 1853, 4.

[99] DCB, 8: 230.

[100] AO, Clarke Papers, Thomson to Clarke, 12 August 1853. The DCB biography said that Middleton, who had worked for John Neilson at the Gazette from 1832 to 1847, established the Morning Chronicle, which supported Elgin, LaFontaine and Baldwin, and later Hincks and Morin. Under Middleton's ownership, from 1849 to 1874, the Gazette began as a liberal paper, though it became a conservative supporter of Macdonald's government. DCB, 10: 512.

[101] St. Thomas Weekly Dispatch, 18 August 1853, 2.

[102] Ibid., 4 August 1853, 2.

[103] Ibid., 13 October 1853; see Chapter 8 - Hincks and the Scandals.

[104] MTCL, W.L. Mackenzie Correspondence, 7355, Lesslie to Mackenzie, 23 January 1850.

[105] DCB, 9: 244, 79, 109.

[106] Pilot, 17 January 1850, 3, advertisement.

[107] Boulton had pressed his claim for a puisne judgeship on the Court of Queen's Bench (J.B. Macaulay, A. Maclean and R.B. Sullivan all recently retired) as a staunch Reformer, but the Globe published certain "slanders" against him, and he was sacrificed by the ministry- thereafter he joined the Clear Grits in opposition to the ministry. See MTCL, Baldwin Papers, A35: #23, H.J. Boulton to Baldwin, 21 January 1850.

[108] Pilot, 19 October 1850, 2, from the Toronto correspondent's letter of 16 October.

[109] Ibid., 29 October 1850, 2.

[110] MTCL, Baldwin Papers, A51: #75, 1-2, Hincks to Baldwin, 12 October 1850.

[111] Pilot, 4 January 1851, 2.

[112] DCB, 10: 263.

[113] Pilot, 18 January 1851.

[114] DCB, 9: 346.

[115] G.S. Kealey, "Orangemen and the Corporation", in V.L. Russell, ed., Forging a Consensus: Historical Essays on Toronto (Toronto, 1984), 62.

[116] Pilot, 7 November 1850, 2.

[117] Ibid., 18 January 1851.

[118] D. McCalla, "G.P. Ridout", in DCB, 10: 620.

[119] Ibid., 18 August 1853, 2. One historian called this "the exoneration of polit-

ical support."

[120] Ibid., 9 December 1851.

[121] AO, W.L. Mackenzie Correspondence, 8701-2, Hincks to Mackenzie, 2 July 1852.

[122] NAC, Rolph Papers, 167, Mackenzie to Rolph, 8 May 1852.

[123] He suggested someone as a judge for Haldimand in July 1852, "and I will now find what influence the rep've of a county has, if a reformer, in county appointments"- he did not expect much. NAC, Rolph Papers, 175, Mackenzie to Rolph, 28 July 1852.

[124] MTCL, W.L. Mackenzie Correspondence, 9114-5, Christie to Mackenzie, 30 December 1852.

[125] NAC, Rolph Papers, 194-5, McDougall to Rolph, 12 December 1852.

[126] MTCL, W.L. Mackenzie Correspondence, 9488, Mackenzie to William Carroll, 27 March 1854.

[127] Ibid., 9148-50, Martin to Mackenzie, 7 January 1853.

[128] NAC, Mackenzie Papers, 1053-4, Spence to Mackenzie, 29 January 1853.

[129] Monet argued that it also made French Canadians accept the union, with patronage creating what he called the "psychology of consent." See Last Cannon Shot, 117.

Chapter VIII

HINCKS AND THE SCANDALS, 1852-55

Francis Hincks was no stranger to criticism. After he retired, MacNab said that Hincks, from the beginning of his parliamentary career, "had been considered a front-rank man- always ready to do his duty."[1] As long as he had been in public life, he was a prominent target for one group or another. There was an attempt to implicate Hincks in the 1837 rebellion, as he was manager of the People's Bank. As the pivotal figure in the English-French Reform alliance after the Union (Hincks began the correspondence that convinced the French Canadian Reformers to join their Upper Canada counterparts), Lord Sydenham tried to drive a wedge between Hincks and the Baldwin-LaFontaine party. As Inspector General and one of the principal spokesmen of the first LaFontaine-Baldwin ministry, the Tories went after Hincks in the Oxford election of 1844 and denied him a seat in the House. While he was the English voice of Reform in the Montreal Pilot, he was continually attacked by the opposition, once physically knocked on the head,[2] and he helped fend off several attempts to split the French-Canadian party. In the elections of 1847-8, Hincks survived another attempt to keep him out of Parliament and afterwards resumed his position as Inspector General and the chief ministerial spokesman on economic and political matters. In the House, he handled complaints and charges from both the opposition and the left wing of his own party. The York Roads affair of 1850, in which Toronto leather merchant James Beaty acquired public roads sold by the government, was just one case in which the press attacked Hincks for the activities of a friend.

This chapter will focus on Hincks' business activities during his premiership, and the consequences he faced. While the preceding chapter concerned itself with public patronage, the private transactions are the ones that have earned Hincks the most discredit. However, Hincks' actions must be considered in the perspective of the times. The early 1850s were years in which there were no strictly defined rules of conduct. Political activity was changing and developing as quickly as the economy and Hincks was in a position to try to assert his version of the rules as he went along. He was never evasive or deceitful about his view of political morality: he believed that no-one, whether politician or civilian, had any right to enquire into the private affairs of other politicians, and that the only limits to a politician's activity were his conscience and the inappropriateness of accepting money or reward for political influence. Yet while he always defended his position, saying that he was quite capable of keeping his private and his public persons separate, his opponents had a different version of morality. This difference of opinion set the scene for a monumental struggle, primarily between Hincks and George Brown, but involving many others as well.

Political corruption has been defined as "the intentional misperformance or neglect of a recognized duty, or the unwarranted exercise of power, with the motive of gaining some advantage more or less directly personal."[3] The two imporant words in this definition are "intentional" and "duty." One must know what one is doing is corrupt, that there is some benefit, and that a duty exists to do what is "right." All of these are very subjective, and in the context of mid-nineteenth century Canada, one could argue that responsible government could not bring politicians an immediate sense of duty, or a change of practices that had long existed. One observer argued that modernization - "the impact of the industrial revolution, the development of new sources of wealth and power, and the appearance of new classes making new demands on government" - must be linked to corruption.[4] Thus, in a changing society, corruption is "the deviance of norms from the established patterns of behavior", and occurs after society recognizes a distinction "between public role and private interest."

The question of morality and public office must be set in its proper historical context. Just as the practice of patronage devolved gradually from crown control to that of a responsible ministry - though the aims remained virtually the same - political morality was also in a transitional phase in this period. In the British experience, E.P. Thompson focused on corruption in the 18th century, arguing that "As manufacture moved up in the scales of wealth against merchanting and speculation, so certain forms of privilege and corruption became obnoxious to moneyed men...." And, though "The parasitic functions of the State came under increasing scrutiny and piecemeal attack [after George III's ascension]...its essential parasitic role remained." Thompson criticized historians who dismissed the "Old Corruption" of the 18th century as part of the 'accepted standards of the age'.[5]

Though "the old view of public office as an appurtenance of superior social rank and as a sort of property, which might properly be subjected to entrepreneurial exploitation by its owner", was dying out in England by the early nineteenth century, it lasted much longer in Canada.[6] Opposition was difficult to organize in a frontier society, and the Family Compact was quite powerful. Its members had honed the exploitation of their offices to a fine point. Land grants were made to Compact members and their friends.[7] The legal officers made as much money in fees as they had time to perform services: the Attorney General alone made about £2000 in Upper Canada before 1833, and other offices were just as lucrative. One historian cited the case of Crown Lands Commissioner Peter Robinson, brother of then Chief Justice and former Attorney General John Beverley, who "defalcated to the extent of more than £10,000...."[8]

The advent of responsible government did not change this system overnight, but it was changing in certain areas. Sydenham's administrative reforms started by setting out what ministers and departments should do, and the reforming process continued through the 1840s. Hincks, who reorganized the Inspector General's office and the Custom's Branch in the early 1840s, complained of the poor accounting procedures in the Receiver General's office and of the minister getting the interest from government accounts.[9] At the same time, as the Assembly gained more control over the ministry, and through it, the departments, there were some checks imposed and retrenchment sought. The Attorney General's salary dropped from £1200 to £1100 in 1844, then again to £1000 in 1850: however, the minister still made almost £800 in legal fees.[10] The problems associated with this readjustment were that perquisites remained for some ministers, and that salaries were dropping as the administrative load increased: Hincks was not being facetious in 1850 when he said that he was not attracted to office for his "own pecuniary interest", and that the level of salaries for civil servants was making "it difficult to obtain efficient men...."[11] Still, the idea of office as a personal perquisite continued.

While some actions, particularly the speculations of ministers, excited comment, opinions were only slowly changing and with no apparent consistency. For example, John Beverley Robinson, the man who has been called the "bone and sinew of the Compact",[12] certainly benefited from his connection with the government, both in status and material terms. Yet he was still an "honourable" man, who wrote W.H. Merritt in 1841 advising him not to take advantage of English stockholders in the Welland Canal Company. He referred to his own "minute" interest, which he had disposed of some time after becoming a judge, but mentioned the possible conflict and the fact that they lived "in an ill-natured world...."[13] Much later, Robinson sat in judgement in the case of Toronto v.

Bowes, and though Bowes was found guilty, Robinson would have exonerated the Toronto mayor and allowed him his share of the £10,000 Job. One explanation for Robinson's decision is Peter Baskerville's argument that the old Toronto Compact and entrepreneurs were responding to the rise of Hamilton by procuring railroads for their city any way they could. Paul Romney disagreed, arguing that, in Robinson's mind, the law of breach of trust should be applied more leniently to municipal officials, since their offices, like legislatures, "were naturally and desirably filled with men who had a strong personal interest in the economic advancement of the polity they served, and if such men were barred from promoting and voting on any measure in which they had a personal interest, nothing would get done."[14] In his flexibility, Robinson was perhaps an example of the typical nineteenth century political man.

Nor can we ignore the American political system, which Samuel Finer compared favourably to the British one of the eighteenth century, though the latter underwent a series of reforms in the early nineteenth century. By contrast, politics in the United States degenerated, so that by mid-century they were quite corrupt.[15] The distinction between dishonest and honest graft, used by William Riordon in Plunkitt of Tammany Hall, came out of the corrupt American system: the former included blackmail, embezzlement and bribery, while the latter involved the Tammany politicians' seeing their opportunities, within the law, and taking them.[16] Romney, in looking at the £10,000 Job, cited a contemporary American scandal - the 1856 "Wisconsin Purchase" - in which a railway "bought up a governor, a judge, and most of the state legislature with parcels of company bonds...and talked farmers into buying stocks with mortgages on their property." This scandal, he claimed, was far worse than anything Hincks and Bowes did. He also noted the New York Herald's view of the Hincks-Bowes affair: that paper recalled the Family Compact of the recent past, noted Hincks' role in fostering

Canadian prosperity, and concluded that "We cannot bring ourselves to blame him for having invested his money judiciously."[17] There was, it seemed, a large element in Canadian society - ex-patriot Americans or simply native North Americans - who were not surprised at the "laissez-faire" attitude espoused by their politicians and businessmen: the "system in which officials had used their public position to 'appropriate stray townships' became one in which they used it to make 'judicious investments.'"[18]

But what of those who disagreed with the morality exhibited by Hincks, Bowes and Robinson? Was their sense of duty stronger? Were they more decent than their critics? Did they represent a "modern" view of political morality? Michael Clarke has argued that "who is accused and who succumbs to the accusation [of corruption], and whether by legal indictment or public antagonism, is a matter of political struggle, a struggle ultimately concerned with moral character rather than technical deviation." He added that, "politics being what it is, the motives for accusations may by no means be the moral altruism and defence of public interests that are so overtly trumpeted. There may be political advantage and self-interest in smearing an opponent."[19]

For that reason, we must be as sceptical of those bringing the charges against Hincks as we are of Hincks' own defence. Although George Brown's motives were mixed - altruism was combined with increased newspaper circulation and self-aggrandizement - he honestly thought he was the conscience of the Reform party. W.L. Mackenzie was more disinterested, and though his opposition might be explained by the characterization "inveterate critic", he too was honestly horrified at the abuses of the political system. By examining Hincks' involvement in instances of "railway morality", or, more properly, "honest graft" - instances that were not illegal but were perhaps improper - we can discover if he has been treated fairly by historians. My contention is that he has not, since the presentation of the scandals has had little balance. Though we should not take Hincks' defence as gospel, there is considerable room to question how corrupt he really was. After all, Hincks was supported throughout by many people, including the Irish and other friends, as well as most of the party press, all of whom stood by Hincks and refused to believe that he had done anything corrupt.

There have been some arguments used to defend, or apologize for, political corruption in the abstract. One contention, that "political corruption makes business good", goes back to Plato (and was rejected by him). Apparently, a certain amount of corruption can produce benefits not otherwise achievable, though there is a line beyond which the "material value" of the state suffers. Second, the corruption "may be more than compensated for by the high efficiency otherwise of those who engage in it." This postulates that if we excuse statesmen who have been "intemperate in the use of liquor or unfaithful in the marriage relation...why not also excuse and forget corrupt transactions that have been repaid by general brilliant conduct of affairs of state?" Hincks' defenders at the time used this argument, while historians have tended to praise certain achievements and condemn the corruptions. Third, an argument that corruption "saves us from mob rule" was used by anti-democrats who thought themselves better able to run the affairs of state than those beneath them. The last is that corruption "is part of an evolutionary process, the ends of which are presumed to be so beneficent as to more than atone for existing evils attributable to it." One could ask whether railroads would have been built as quickly, or in a better way, without corruption. It certainly seemed to be the most popular way to get them built in Britain, the United States, and British North America. Still, "Philosophical excuses [for nefariously gained profits] are not thought out until later, when the magnitude and the profitableness of the malpractices involved suggest the possibility of an apparently dignified and worthy defence."[20] These apologies should be kept in mind when considering Hincks' support.

As Hincks had always been a controversial figure, nothing changed after he became premier in late 1851: if anything, the pressure increased. Every action, every statement, was placed under a magnifying glass and checked for inconsistencies or wrongdoings. Hincks often commented on how little money he had before he became premier, claiming to have sold the Examiner at a loss to keep it out of the hands of an opponent, and complaining about the lack of support for the Pilot in Montreal. Hincks was the recipient of a windfall of $4,500 when his mining speculation paid handsomely in 1847, but he had not made much money to that point. Indeed, William Hutton, Hincks' first cousin living in Belleville, pointed out in 1848 that Hincks' income would "be at least £1500 per annum [it was £1000]; but so many expenses attend these public offices, so many champagne dinners, etc., etc., that little is laid by for political changes which come so rapidly and often unexpectedly in the Colonies." Hutton went on to say that "the turmoil of political life is ill repaid by a few extra hundreds": "Some constitutions, however, could not exist out of political life and excitement and his [Hincks'] is one of them. It is his life and soul to be in the midst of political strife...".[21]

When, in 1852, W.L. Mackenzie tried to make Hincks assume an old claim of the Bank of the People, Hincks replied by pointing out his own modest means: "The proprietors such as Lesslie, Doel, & my friend Beaty are all wealthy men, the ill paid servant is notoriously a poor one & yet he is called on to pay!" He added that people thought his salary was "so enormous that I should pay anythg. On this point unfortunately I can say that I have been poorer with a large salary than a small one, the demands on it of all kinds being proportionately great."[22] Hincks, then, if he can be believed, was by no means wealthy before 1852; it is also clear that he was not as poor as he let on. He had sold the Pilot in 1848, though there is no record of what he received for it. He owned considerable property in Oxford County, as well as in Montreal, Quebec, and perhaps Toronto. While he was not expected to maintain the establishment or entertain as lavishly as the Governor General, who earned £7777. 15s. 4d., we can accept that the demands on his salary were large. His standing with the London banking house Glyn, Mills was good enough to borrow £40,000 in 1852: this was not the treatment accorded an ordinary businessman, but if the demarcation between a private and public individual seems blurred to us, how must it have appeared to London bankers, who, less than ten years before, had deposited £80,000 in Canadian government bonds in the minister's private account?[23]

A debâte arose in late 1852 in which Hincks made very clear a position he had already taken in private correspondence with Mackenzie.[24] The question was raised whether Hincks had profited from some assistance he had given to the city of Montreal while in London earlier that year. John A. Macdonald agreed with Hincks that it would be wrong "if a member of the Government received a sum of money as a reward for negotiating securities...." On the other hand, if he acted as "an agent for private parties, or for individuals...with that the House had nothing to do...." Macdonald went even further, saying that he "could see no reason why a gentleman going to England should not accept a charge apart and distinct from his official capacity, if a request to that effect were made to him."[25]

This support from an opponent was not unexpected, and Hincks stressed his point. He claimed that he had done nothing wrong and would "not fear that the House would pronounce any one of his private transactions to be dishonourable; but he denied the right of the House to enquire into his private transactions." MacNab said that the opposition should not injure "the character of any gentleman by an unfair means and in the absence of evidence...." He put the case in perspective by recollecting that John Dunn, former Receiver General, "had the whole control of the Provincial funds, put them into the hands of any person he chose to select, secured the whole interest which amounted to something better than his salary, and in addition received about £1500 or £1600 a year from a very complaisant Parliament for his services." Even staunch Tory George Ridout defended Hincks, arguing that if the Inspector General was "debarred from any private pecuniary transaction", he would be "placed at great disadvantage when compared with his colleagues...[the Solicitors and Attornies-General] whose position as law officers of the Crown frequently leads to an increase of business."[26] Hincks could not have asked for more, and he may have taken the feeling of the House as approving such transactions.

However, not all members were willing to let the matter stand. George Brown was extremely astonished "that such sentiments should be promulgated in that House." He did not believe there could be "fine drawn distinctions between a Minister of the Crown taking a commission for a public service in his public capacity and in his individual capacity...." He asked members how they could "maintain such a monstrous proposition" of allowing the Minister of Finance "to use the knowledge and standing in the money market accruing from his office, in stock-jobbing and bound[sic]-brokerage!" When Hincks said that nothing of the kind had happened, Brown admitted that over the ten years he had known Hincks, "so far as he knew there was not the slightest ground to doubt his perfect integrity in pecuniary matters", but he could not believe that Hincks "might carry on the business of a stock broker, and put money in his pocket."[27] A few others agreed with Brown, and Hincks was given fair warning that such conduct would be severely criticized in future.

The question of what constituted conflict of interest is difficult. One cannot extrapolate directly from the expressed views of sixteen men in a House of eighty-four, though convictions were deeply held. It is probably fair to say that the legislature did not represent public opinion, as is often the case. Members were usually men of standing and ambition, and were more developmentally-minded than their constituents. In the House, the boundaries of morality were defined by the majority, who supported the view expressed by Hincks and Macdonald. The acceptable principle was that a minister could, in his public capacity, be involved in some financial transactions: one man could have two masters, but he should not benefit unfairly from his official position. Those politicians who did not support such an argument were probably sympathetic to it. There was, nevertheless, a vocal minority who strongly opposed "railway morality."

In the public mind, the majority of French and English Canadians were most likely indifferent - for them, Montreal, or Toronto, or Quebec (wherever the seat of government happened to be) was remote and of little interest. However, one cannot discount the general impression that the electorate was fairly literate and politically attuned: the people were bombarded with newspapers, and habitually discussed issues of the day. Editorial opinion, too, favoured the businessmen-politicians' view, and though the impact of this weight of newsprint must be balanced with its source of government or party sponsorship, it had an effect. The area where most opposition developed, and the area that gave Brown and Mackenzie support, was outside Toronto and in the western part of the province. Here, opinion was split fairly evenly among Reformers, with the Conservatives leaning in the direction of MacNab and the government, though trying to keep their distance.

The first serious scandal concerning Hincks came to light in early 1853 in the so-called £10,000 Job. No one really knows why or how Hincks got involved. He did not know mayor Bowes well when he was approached at Quebec on 24 June and asked if he would like to join in the purchase of £25,000 worth of Toronto debentures about to be issued, for which they would only have to pay eighty percent.[28] Bowes had been a director of the Ontario, Simcoe and Lake Huron Railway until early 1851, and presumably still had connections in the company, although it was common knowledge that the railway contractors needed money. Hincks was a close associate of fellow-Irishman Joseph Morrison, president of the company (and Solicitor General after 22 June 1853): Hincks had given up his Niagara seat for Morrison in 1852, and his nephew Joseph Hutton worked in Morrison's law office. Bowes was apparently working with Joseph Cotton, a Toronto contractor, and the two suggested that Hincks be brought in after the bonds had been acquired, to negotiate their sale in England, as he had better contacts in the London money market. Hincks said that if he were to be involved, Bowes should secure the purchase and Hincks "would undertake the entire management of the transaction."[29] The possibility of profit in this arrangement was not large. Bowes and Hincks would have helped the railway's immediate need for money by giving them £19,200 for £24,000 of Toronto debentures, which would have had to be disposed in London for a modest profit. However, they had to be legalized by the city, which had received legal advice that the debentures needed a sinking fund. The contractors proposed the swap to Bowes on 30 June, and Bowes informed Hincks, who in turn notified T.G. Ridout of the Bank of Upper Canada on 5 July, that he needed £19,200 for a short time, until Glyn, Mills would repay the Canadian bank.

There are conflicting accounts of what happened next. Cotton and Hincks both testified that in order to get over the illegality of the debentures, they intended to get a loan of £100,000 to consolidate the city debt, and change the currency debentures into sterling ones, thus making them more valuable. Hincks said that the consolidation and conversion would make it easier to sell "the whole amount speedily in London...."[30] The city would have benefited, he argued, because the larger sum meant that they could get a better rate, indeed par for their £50,000, and Hincks and Bowes would make a nice profit on their converted debentures. By the end of July, however, the railroad complicated the arrangement by giving up its right to a city grant-in-aid of £25,000 and a £35,000 loan in exchange for the city taking £50,000 in railway stock, paid in debentures. The city quickly agreed to this, as it would save £10,000, and Bowes told Hincks about the change. On August 6, Hincks asked Ridout for another £20,800, and covered this with a £15,000 loan from Glyn, Mills. By November 6, Hincks and Bowes had paid off the debentures. Bowes in the meantime had sold the city council on the need to consolidate the city's debt, saying that the ministry "would not legalize the Debentures without creating a sinking fund; but would consent to a loan of £100,000, in order to redeem the Debentures in question, and to consolidate the debt...." The chairman of the city's finance committee said that the mayor put the consolidation to council on August 23, and in several conversations, "always intimated that he had no interest in the Debentures."[31] Hincks arranged for "certain parties in England" to offer the city, through Ridout, par for the whole loan, half payable in cash and half in city bonds.

The Toronto Consolidation Bill was put through the House very quickly. From its introduction on September 22 to October 7, when it received royal assent, several procedural rules were ignored[32] and Brown argued "that the extraordinary haste with which it was pushed through the Legislature prevented the citizens of Toronto from being made aware of the nature of the measure...." Included in the bill was a clause "which compelled the Corporation to pay the Debentures issued to the contractors...notwithstanding any irregularities in their issue, not at maturity, twenty years thence, but to pay them off at once, and at their face value...."[33] This clause assured Hincks and Bowes a profit of almost twenty percent: in fact, a total of £8237 8s. 6d., of which Bowes received £4115.[34] Hincks claimed that he took no part in the passage of the bill, which was introduced by William Boulton and encouraged by Joseph Morrison. Bowes was in Quebec at the time, "but there was no opposition of any kind to the measure requiring the use of influence of any kind." Later, when Hincks was defending himself against the charge of using his parliamentary influence, he reaffirmed his position that he had "the same right to accept compensation for services rendered to private individuals or Corporations, that the Attorney General has to receive fees for his advice, or for services rendered by him to similar parties."[35]

News of the deal first appeared during the civic election campaign in mid-December, 1852. Placards were placed around the city by Bowes' opponents, but he was returned as an alderman and re-elected as mayor on January 17. Apparently, Cotton "became restive" as he had not received the third share he thought he had been entitled to. The city council acted on the rumours on January 24 and during a long debate Bowes was charged with being involved, although he denied everything. Not satisfied with this denial, five hundred ratepayers petitioned the council on February 7 to set up a select committee, which proceeded to hear unsworn testimony from some and none from those who refused.[36] The Bowesite majority on council outvoted the opposition and returned a report on February 23 that found no wrongdoing, and the anti-Bowesites were disgusted.[37] The scandal was replayed in the Toronto press, which was evenly split: three for, three neutral, and three against Bowes.

Even at this stage, though Bowes had said almost nothing, the North American hoped "at all events that the Inspector General had nothing to do with it."[38] But if the North American was publicly sitting on the fence, in private editor William McDougall was quite certain that there was something wrong with the deal. On 2 February 1853, he wrote Charles Clarke of Elora that if Hincks was unsuccessful in achieving his political goals, "he goes into the service of Messrs. Jackson & Co. which he knows will pay better than politics even with an occasional slice of a £10,000 share...." Furthermore, McDougall told Clarke about a rumour that Hincks had promised Bowes a seat on the Legislative Council "if he could get elected a third time to the mayoralty...."[39] Thus, McDougall had no doubt very early that Hincks and Bowes were involved in the "job".

In order to find out what had happened, in March, five ratepayers, led by David Paterson, filed a Bill of Discovery in the Court of Chancery, charging that Bowes had misused his role as agent of the city in the transaction with the Northern Railroad contractors. W.L. Mackenzie tried to get information in the House on two occasions, 11 May and 25 May, but could get nowhere either time because most thought a parliamentary committee should not be appointed until the case had gone through Chancery.[40] On June 10, Bowes questioned the plaintiffs' standing and mode of proceeding, and the court reserved the case for consideration. Eventually, the judges dismissed Bowes' objections, and the mayor filed an answer to the bill stating very little already not known.

During the long wait over the summer while the court was in recess, there were rumours that ministers were becoming wealthy very quickly. Not only was the ministry scattering "around the public money for purposes of corruption" but also ministers "who were in embarrassed circumstances, hardly knowing how to get a note discounted, in the winter, are now rolling in wealth, buying lands and houses in every direction, discarding their antiquated vehicles for new ones, and, dining like princes."[41] The Quebec Chronicle argued that "money is being obtained much more rapidly by people who were not very long ago in the jaws of debt than is strictly speaking consistent with honesty." Further, it charged, without naming names, that "Government banking and Government financing seems to have been with a view to private interest of late." The paper thought that ministers were using Bank of Upper Canada funds "for their individual benefit", particularly in buying and selling "immense tracts of territory...at a considerable and telling profit." They were also influencing the fall of railroad stocks and then buying up thousands of pounds worth.[42]

These were serious insinuations, and while the Globe was not yet prepared to say that there had been any breach of trust, it did note that Hincks had made "from £20,000 to £30,000 by the kind of speculation alluded to by our contemporary."[43] Brown outlined the charge against Hincks in the £10,000 affair, saying that he had "used his position as leader of the House and Premier to pass a bill, which raised the value of certain debentures, held by him in connection with other parties." There were other charges as well. The Globe noted that Hincks had "had the sum of £50,000 placed at his command by the London agents of our Government, Messrs. Glyn, Halifax & Co.", and though Hincks had not used it, "it shows to what ministers may be exposed, and how much need for watching them carefully." The paper also reported that Hincks was certainly "now a man of means. He has invested largely in land and tenements, in the Lower Province, and bought a fine farm in this neighbourhood when he was in town last week." It was therefore "very wrong of him to talk at the Berlin dinner of the position of ministers being one of pecuniary want, holding out no temptation to the mercenary. It may be so to others, but to him it has been a mine of wealth."[44] The Leader, run by Hincks' friend James Beaty, responded to these charges, but the Globe noted that there was no denial that Hincks had made "a large fortune speculating in stocks." Specifically, the Leader denied that Hincks had bought a farm in the Toronto area, to which the Globe countered that Hincks had used his son-in-law, "Captain or Major Ready" as "a convenient cover for a speculation."[45] On 18 August, the Globe had to retract this claim when it found that its informant had made a mistake and Ready had made the purchase on his own.

The open court hearing in the case of Paterson v. Bowes began on 12 September 1853, and Bowes, while refusing to name his partner, admitted that he had profited over £4000 on the iilegal bonds from the contractors. It was already known that he had destroyed all the private correspondence relating to the case[46] "because a persecution was got up against me in the City, through newspapers and otherwise" and "was after the correspondence...." He said that he usually destroyed such letters anyway, and his memorandum letter book was also unfortunately missing.[47] Bowes' hesitancy in naming Hincks did not matter much. T.G. Ridout of the Bank of Upper Canada took the stand immediately following Bowes, and he quickly named Hincks as Bowes' partner, outlining the financial part of the transaction. With this new information, the charges had to be amended and specified by the plaintiffs, and this next step was allowed by the court in late October.[48]

Bowes then had another chance to answer. In early December, he responded with a line of defence that "both the Northern stock purchase and the later debt consolidation had benefited the city" and the railroad.[49] Even McDougall, who had guessed that things were amiss in the Northern debenture transaction, was shocked at the revelations. He wondered "What in the name of heaven are we coming to as a party?" He did not think that Rolph could "stay in the Govt after these disclosures (if Hincks remains) with honor or safety and I believe he will not. Will the country abandon its govt to a band of Railway speculators, hungry lawyers, and stockjobbers?" He was ready "to break up all present combinations in the presence of such a danger...." He added that "The excitement here is intense. No man dares to defend Hincks openly- not even his own miserable thing the Leader."[50] McDougall repudiated "the Inspector Genl at once and boldly", and took his North American into opposition. However, Hincks was not finished yet.

There was considerable support as many still refused to believe the allegations against Hincks. Friends like James Beaty, publisher of the Toronto Leader, offered unwavering support. The editorial of September 15, 1853 on the "Collapse of Monstrous £10,000 Job" argued that "the great chancery suit" was over, and that Hincks was completely exonerated. The next day, the Leader went after the

Globe, which "has a very confused notion of financial matters; and is unable to see the difference between a party putting his hands into a corporation treasury and running off with £9,000, and two other persons making an equal sum by the purchase and sale of Toronto city debentures...In the one case there is a positive robbery; in the other a legitimate business transaction."[51] The transaction was defended as a benefit to the city, and Beaty concluded that "If the Globe can make no more of the great 'ten thousand pound job' than this, it had better confess its defeat." Such statements could be dismissed as pure political bluff, but even if Beaty was simply contradicting Brown's case, he may have had more effect than has been thought.

There was other press support for Hincks, both in Toronto and the country. Ogle Gowan's Conservative Patriot was one, perhaps the result of Hincks' attempt to gain Orange support since at least late 1850.[52] So did the Reform and Irish Catholic Mirror in Toronto;[53] while in Montreal, Hincks' old Pilot rallied support. In addition, regional papers like the St. Thomas Weekly Dispatch[54] followed the lead, copying reports from the Toronto papers. The Dispatch named nineteen Reform papers that supported Hincks, while only six did not. It concluded that "it is unjust, unreasonable and tyrannical to say, that he [Hincks] cannot interfere in private speculation because he is Inspector General of Canada...." Hincks had the "perfect right" to speculate to support his family and "to make use of his position in an honourable way to obtain pecuniary resources adequate to the distinguished place he has the honour to occupy in the face of the country."[55] Some of these Reform journals supported Hincks for reasons of patronage, some out of conviction; others opposed Hincks because they were disappointed, or believed in the principle they espoused. Still, both sides made their cases clear to all.

There is also some evidence that officialdom took the matter in stride, though allegations of scandal were perhaps less surprising to those who were used to rough politics. Alexander Cameron, a young Toronto lawyer, wrote Master in Chancery A.N. Buell from Quebec on 23 September 1853 that there were some problems because of the affair, but nothing too bad: he thought that Rolph might leave the ministry, but "Cameron sticks to the ship and thinks no blame is attachable to Hincks. On party grounds, I would be glad if everyone was of the same opinion. The effect of the ten thousand pounds job has produced less sensation than I anticipated in this quarter."[56] Cameron's letter indicates that Quebec was in no more turmoil than usual.

Hincks himself was not worried about the matter. When writing to Thomas Shenston in Woodstock on 11 October, he told his friend that his own position was safe:

> Be assured that *I am in no danger of being sacrificed*. I have often I think told you that to be *relieved* of my present situation would be the *greatest benefit* that *could be* conferred on me. I *want nothing* either from the Governt or the people- I could get double my present salary any moment from other parties My reputation will not be injured by any course that may be adopted. Evy member of the Governt will stand by me that is here and I believe public opinion is with me. I have never undertaken to abstain from acting in my private affairs as I should think fit.[57]

Hincks sounded very certain that his position was solid. He made that assumption on the basis of three facts. First, he had the ministry behind him: presumably he had explained his part in the transaction to the satisfaction of his colleagues, and they had agreed to go on. Second, he knew that the House was split on the issue, but that many in his party and in the opposition would support him. Third, there was also evidence that public opinion, contrary to the *Globe*'s wishes, was not entirely against him; in fact, he had fairly wide support. However, he did have to act more carefully because of the growing concern for public morality and respectability among Canadian public men. The day after writing Shenston, Hincks wrote Arthur Farmer asking to be relieved of the presidency and directorship of the Woodstock and Lake Erie Railroad and Port Dover Harbour Company.[58] Otherwise, it seems, it was business as usual.

The court case resumed on 16 December and provided more information, but both sides remained entrenched in the same positions. Ridout, Bowes and Cotton gave evidence on 16 December, and the defence lawyer tried to show that Bowes had not lied about having an interest in the transaction. Rather, Bowes testified that he "never used the City funds, or had any interest as Mayor in the negotiation of the Debentures." He said that he "never gave any Member of the Council to understand intentionally that I had no personal interest in the matter." The defence also went after Cotton, who claimed that he had been chiselled out of his share of the profits. He admitted that his attitude towards Bowes had changed when he had lost the Toronto and Guelph Railroad contract-[59] he had also sued Bowes for slander. Cotton denied that he had had anything to do with putting up the placards in December 1852 "charging Mr. Bowes with chisseling the City out of £10,000", but it was later shown that he had been seen doing it.[60]

The plaintiffs had twelve witnesses examined on December 21, including one of the aldermen who had resigned in disgust and others on the city council. But the evidence against Hincks and Bowes was not conclusive. Some of those testifying, namely Hutchinson (Cotton's close friend), Samuel Thompson and Joshua Beard, were opposed to Bowes and said that he had misled the council and misused his position.[61] Others were not so sure. Kivas Tully, another councillor, called the mayor "a good man of business, and a supporter of public improvements." When asked if Bowes had used any influence on him "to vote for the issuing of the Debentures", he replied that there had been no influence.[62] He added that he did "not think that the City has lost by the transaction in question", in fact, "was beneficial to the City". Other testimony showed that the Northern wanted money so badly that it "did not care what the Debentures were sold for."[63] Thus, the matter was not cut and dried. There was considerable doubt among the plaintiffs' witnesses that there was anything illegal about the transaction. On the other hand, opponents to Hincks and Bowes did take comfort from the fact that appearances were not good. Donald M'Leod wrote Mackenzie from Quebec on December 26 that "The Ministry is in a rickety state- the 10,000£ is a dead sore",[64] but Rolph was still a member of the cabinet, whose solidarity was maintained for the time being. The defence had yet to put its case.

Bowes' witnesses were examined in court on 11 January 1854. Eight people presented their testimony in open court. Milton Courtwright, one of the contractors, testified that his firm had needed money immediately in late June, 1852, to pay for a shipment of iron just acquired from New York. He had been willing to take the risk that the by-law of 28 June was illegal, and said that he had wanted to convert the debentures to cash as soon as possible. The contractors had unsuccessfully tried to sell the debentures at 85% of par value, had been offered 75 for some, but when Bowes offered 80, the company readily accepted. He said that it would "have sold them to any other person on the same terms...." When the purchase of £50,000 of stock was substituted for the £25,000 gift and £35,000 loan, Courtwright said that the contractors were forced to accept the deal even though it was not "advantageous" to them; rather, it was "very advantageous for the City."[65]

Charles Berczy, president of the Northern Railroad in 1852, said that the company was most anxious to make an arrangement in June 1852, and that the transaction had benefited the city. Joseph Morrison, then director, and president after December 1852, told of the difficulty of selling the debentures at all. He also claimed that he had drawn up the Consolidation Railway Bill and the City Consolidation Bill (introduced by Boulton), and he explained the reason for expediting the consolidation and several other bills. He testified that neither Bowes, who was in Quebec at the time, nor Hincks, had spoken to him on the subject. Four other witnesses, three of them aldermen and one a councillor, told the court that they had not been influenced in any way by Bowes, and that they considered the city had benefited very advantageously.[66]

Finally, Hincks was questioned at great length in Quebec by Attorney General Ross and cross-examined by Andrew Stuart, one of the plaintiffs' lawyers. He defended his conduct, if not that of Bowes. He denied that Cotton had been a party to the purchase of the debentures; that there had been any attempt to delay the issue of the debentures, arguing that there had been no reason to. He did not think that the city could have obtained a loan for £50,000 on better terms than he had arranged, and that "in every way the transaction was most advantageous to them [the city]." He concluded that he had not been aware "that Mr. Bowes employed any influence that he had as Mayor of the said City in advancing his own personal interests, to the detriment of the said City." He did admit under cross-examination that he had not sanctioned Bowes' declaration in council that he (Bowes) had had no interest in the transaction. In fact, "So soon as I became aware that Mr. Cotton and Mr. Bowes had quarrelled, which was about the latter end of November...I was perfectly aware that the transaction could not be kept secret", and he had advised Bowes "to state every fact connected with it."[67] Throughout the entire examination, Hincks answered every question fully, and there was no apparent attempt to cover anything up.

The events of the affair happened so quickly that it is difficult to say that the whole transaction had been planned. In fact, Bowes and Hincks had to react to situations as they occurred. The original proposal Bowes made to Hincks was to buy £24,000 of city debentures from Story & Co. for £19,200. As the contractors needed the money quickly and were ready to take it from anybody, Bowes had needed no influence to buy them- only someone like Hincks, with his financial connections, to finance the acquisition. And while Hincks may have been introduced to London bankers after becoming Inspector General, he had also been an excellent private customer as well, as Glyn, Mills stated in an unsolicited letter: they did not consider that he had used his official position, and "the loans were made by us upon undoubted security at the full market rate of interest...."[68] Hincks then intended to sell the debentures in London in small parcels over the next year: the best that he and Bowes could have hoped for was 98 (City of Montreal debentures had sold for that), or a shared profit of about £4300. If Toronto debentures were less attractive than those of Montreal, the profit would have been lower, a risk that Hincks had been prepared to take. He was also willing to wait a year or more to recoup his original outlay.

Next, it could not have been known on June 24, 1852, when Bowes was in Quebec meeting Hincks, that legal advice would declare the proposed city by-law illegal. John Hagerty wrote his opinion on June 24, and Oliver Mowat produced his on June 28, the day the by-law was passed. The urgency was required by the contractors' need for money and the city's eagerness to keep the railroad 'on track'. Romney argued that it was "vital" that the by-law should be illegal, so that the later steps could be taken to increase the profit. But it is asking too much of credulity to say that the affair was planned this way, as no-one had even thought of consolidating the city debt and converting the debentures at this point.

This new development necessitated an alteration in Hincks' financing of the transaction, but, both alleged, no official influence was needed. Admittedly, Bowes was not as clear as Hincks about the separation of his official from his private character. Bowes later claimed that he had meant to say, when asked if he was interested, that he did not consider he was acting as Mayor when dealing with Story and Co. for the debentures.[69] However, he had misled the council and had tried to keep his part in the affair secret. The Court of Chancery found, unanimously, that Bowes had misused his position as a trustee of the city and should pay back his portion of the profit.[70] Yet the decision was not delivered until 9 October 1854, too late to have any effect on the late July-early August election in which Bowes was returned at the head of the poll for Toronto. Bowes then appealed to the Court of Error and Appeal, and in 1855, two of the five judges (old Tories Chief Justice Robinson and Justice Maclean) thought that Bowes had done nothing wrong.[71] Yet Bowes was found guilty, and the majority legal opinion suggests that his activities were regarded as more than morally repugnant. Bowes appealed to the Judicial Committee of the Privy Council, which found against him in 1858.[72]

The indictment of Hincks for conflict of interest or immorality cannot be separated from the political nature of the entire affair: the Brownites were fighting the Hincksites and the prize was power. Brown had been politically disenchanted with Hincks at least since 1851, and had found no other way to break Hincks' hold on the Reform party than to discredit him and his government. There were certainly impartial witnesses in the Bowes case, but many were not, and Brown was the the chief critic: those who lined up with him in criticizing the transaction were, not surprisingly, opponents of Hincks and Bowes. Romney cited the letters from Bowes to Thomas Wilson as extremely important to the case.[73] It is important to understand that Wilson was not friendly to Hincks or the Canadian government: he had married John A. Macdonald's cousin in 1830, had been the Montreal agent of two large Upper Canadian banks,[74] had also belonged to the British American League in 1849. ~~In early~~ 1852, Wilson had wanted to secure funding for a railway from Montreal to Hamilton, but the scheme fell apart when the Grand Trunk was formed. He asked Luther Holton, one of the opposition to the new railroad led by A.T Galt, "if I can in any way assist you in breaking up this fraudulent combination, between the Executive of Canada and certain parties here [London], against the interests of the Colony", not to mention his own.[75] Apparently by coincidence, Wilson read something about the Bowes case in England, and he sent copies of Bowes' letters to the plaintiffs to damage both Bowes and Hincks.

These letters also appeared in print in the Daily Colonist on 18 July 1854, and elsewhere afterwards, in the midst of the election campaign. Though they did not change the facts, it is difficult to believe that there was no political motivation for these occurrences, and Romney seemed to take Wilson's involvement at face value. It also turned out that Wilson's letters were a central part in the plaintiffs' case: by showing that Bowes did know how much Canadian securities could be sold for in the London market (or at least that they could expect a "favourable" sale), his withholding of this information allowed both he and Hincks to make a profit, allegedly at the expense of the city. Thus, Bowes had committed a breach of trust. The legal judgment, however, was immaterial. By the time of the election, all the facts of the case on which the judgment was made in October, 1854, were known. The voters of Toronto had the chance to elect Bowes or repudiate him, and he received more votes than any other candidate, including such prestigious people as J.H. Cameron, and former MPs Henry Sherwood, G.P. Ridout and W.H. Boulton.[76]

Finally, as to Hincks' part in the transaction, Romney stretched the facts to "prove" that Hincks was more guilty of a conflict of interest than Bowes "because his authority was greater", and that "his avoidance of pursuit at law was no vindication of his actions." William Ormsby was criticized as a sympathetic biographer for saying that Hincks' age "was only starting to clarify its ideas on conflict of interest."[77] However, even Ormsby called Hincks' attitude "naive and unrealistic."[78] Hincks was not naive at all: he knew exactly what he was doing and had made clear many times his right to speculate in this way. As for Romney, he does not show that Hincks "avoided" pursuit at law. Had the plaintiffs begun an action against Hincks, he could not have avoided it if he ever wished to set foot in Upper Canada.[79] Nor did Hincks avoid testifying in the case.

The only evidence that Romney used to substantiate his argument that Hincks' party "professed a superior public morality to that which had prevailed under the old regime", was that of W.L. Mackenzie- no friend of Hincks- who fondly remembered Hincks' condemnation of "speculation and jobs" in the Examiner and Pilot.[80] Mackenzie had not even been in Canada during that period- he had been in exile. His statement must be put in context: Hincks and others had objected to the Compact, whose custom had been "to grant themselves land for nothing...without giving a single shilling for it, and in that way enriched themselves."[81] But an opposition is supposed to attack the government. Now that their party was in control and their friends were benefitting, there were fewer Reform complaints. Hincks had also declared that there was no law, and, if pushed, would have said that there had been no implied practice, to limit the private activities of executive councillors. John A. Macdonald, another businessman-politician, could only agree with Hincks on the separation of a minister's private and official character. Romney thus did not prove his case that Hincks was guilty of a conflict of interest.

Romney's opinion about Hincks' guilt seems to have been based on George Brown's arguments in the Globe.[82] He also added a few of Hincks' "evasions" that had not been detected by either Brown or the plainiffs' counsel, and he picked apart Hincks' justification of the Toronto debt consolidation. His claim that Hincks lied "about James Cotton's part in the deal", is unsubstantiated. And while he found the inconsistencies in evidence given by Bowes and Hincks "hard to believe",[83] there is no evidence presented to show that Hincks was friendly with Cotton or that he knew Cotton was an original partner. Cotton himself said that he had left to Bowes any arrangement to be made, and it was Bowes who first approached Hincks in Quebec. Cotton had only two interviews with Hincks and it appears that the former was acting as an intermediary,[84] talking to Bowes before seeing Hincks and reporting to Bowes the results of those conversations. If such was the case, Romney's "hypothetical reconstruction" does not stand up.[85] He implied that Cotton had some connection or influence with Hincks, yet none is shown- he relied on Brown's description that Cotton was a "friend" of Hincks at a time when Brown was seeking to destroy Hincks politically. We may never know what did happen, but speculations must rest on firmer evidence than Romney presented.

Though Hincks was not innocent in the matter, his legal position was fairly secure: there were no charges brought against him because there was not sufficient hard evidence to take to court. There was also the problem of jurisdiction, as well as some hesitancy in pursuing the premier in court. As Draper said in his judgement, "considerations of the highest constitutional policy intervene to prevent such an inquiry into the motive of a member [of the legislature] before any tribunal but that of public opinion."[86] Morally, Hincks did not think he had done anything wrong: his actions were in keeping with contemporary practice, and, as the result benefited the railway contractor, and the railroad benefited Toronto and the province, the end justified the means in this case. However, though he had considerable support, his actions aroused much opposition, which cannot be ignored. There is thus evidence to support the views of both Hincks and Brown. In the end, one can only conclude that the affair had an important effect on the emerging definition of public morality. The first major scandal of the responsible government period crystallized opinions, and in fact laid the basis for the 1854 coalition: those who supported Hincks' position were members of the Liberal-Conservative party; those who opposed him, in both sections, had little other than their dislike of Hincks in common.

Even though the £10,000 Job was important in the fight against Hincks, it was only one of many scandals brought to light in a concerted attempt to discredit

Hincks and his administration. Other scandals surfaced quickly in the wake of the £10,000 affair. On October 15, the Globe commented on an article in the North American on Hincks' purchase, with others, of the Point Levi domain farm earlier that year. The land had been "knocked down for the nominal price of £1500 or thereabouts", and the North American claimed that after the Grand Trunk named the area as a terminus, the property's value increased to between £12,000 and £15,000.[87] On the same day, the first of a series of letters written by "PHOCION" was published in the Globe, charging Hincks with complicity against the construction of a Canadian canal at Sault Ste. Marie. The Americans had, "at a public table, boasted of that they had stopped the British Canal, by buying the Premier of Canada"; and one gave advice that "The Canadians had better pay to the Hon. Francis Hincks $200,000 and get him to job no more; they will make money by it."[88] When the Pilot responded for Hincks and denied the premier's participation in the affair, the Globe understandably refused to believe any professions from anyone connected with Hincks. A few days later, the Globe added to the Sault Ste. Marie canal scandal when it copied a report from the New York Herald of 10 November: the report said that the American canal was progressing quickly and that land values were supposed to rise as well, and it concluded by saying "that the bulk of the stock is held by five individuals, of whom the Hon. Francis Hincks, Inspector General of Canada, is one."[89]

And so it went. The Globe returned to Hincks' £50,000 in stock after the Pilot's defence was published: it argued that there were too many inconsistencies in the story, and concluded that there was "not as yet sufficient evidence to contradict the strongly suspicious circumstances which have been brought to light." Similarly, there were two long editorials in early December on Hincks' part in the Grand Trunk job, or the "Nine Million Job", that "indecent transaction" to let English contractors build the Canadian railroad. In the new year, "another gross job", the Montreal Court House debentures, was revealed, and though it involved no ministers directly, the Globe argued that it was evidence that the corruption had spread into the ranks of the civil service. On 26 January, the Globe complained about "Government Jobbing on the Ottawa", since £50,000 had been voted for improvements on the river, and a £200,000 canal proposed, at a time when railroads would soon make river transportation obsolete. The paper argued that influential people would benefit, and named Hincks and local MP John Egan as only two who were involved.[90] Finally, in late January and early February, there was quite a stir in Toronto over what was called the "University Job", the dismissal of the university's medical faculty and their replacement by teachers from John Rolph's School of Medicine. For some, this job explained why Rolph continued to support the government.[91]

Of the many charges brought to light in the wake of the £10,000 Job, some were more easily defended than others. In the case of the purchase of property in Toronto, for instance, a simple refutation by a newspaper ended the speculation that Hincks had bought a large farm in the area. Other charges were more serious and more difficult to defend, and most of them were not completely cleared up until they were carefully examined by two select committees, from the Assembly and the Legislative Council, both of which reported in April 1855. The second scandal attached to Hincks, the Grand Trunk stock allotment, falls into this category. The affair began on 25 April 1853, when Grand Trunk stock was being allotted in London: 1008 shares, worth £50,400, were registered in Hincks' name and a deposit of £10,800 (20%) was paid by Mr. Peto, allegedly for Hincks' personal benefit. Brown charged that this stock was a donation from Messrs. Jackson and Co. "either in consequence of a previous understanding or as a reward for services rendered...."

Hincks dealt with this charge fairly easily, ridiculing Brown for suspecting that "a gross fraud has been committed" on the Grand Trunk Railway Company. He said that if the contractors had wanted to pay him "for services rendered them at the expense of the Company," they would not have done so by alloting stock "with the certainty that the transaction must be known to the various officers of the Company...."[92] Hincks argued that only a few Canadians had been in London when the stock was issued, stock each director had to have in order to sit on the board. Two Canadian directors requested that stock be set aside for distribution in Canada, and 2016 shares had been allotted to Hincks and Engineer A.M. Ross without their knowledge. There was no evidence to contradict Hincks' assertion.[93] The committee found that "No benefit or advantage whatever was to be, or has been, derived by the Honourable F. Hincks...."[94] Brown had not proved his case, but the question had been a public issue for eighteen months.

The third scandal that surfaced in late 1853 related to the construction of a canal at Sault Ste. Marie. A correspondent writing to the North American, later identified as Allan Macdonell, complained that Hincks used his official influence to oppose an application for incorporation of a Canadian company to construct a canal at the Sault on the Canadian side, thereby preventing its construction. Macdonell was one of the parties applying for the charter, and thus was disappointed when the House refused it.[95] Even William McDougall said he thought "the charges were founded chiefly upon rumour", although he also said that he "suspected there was a good deal of truth in it."[96] Apparently, Hincks was thought to have had an interest in the American canal contract.

The rumour, Brown thought, developed out of comments made by Colonel White and other Americans connected with the Northern Michigan Railroad: they had gone to Quebec in the spring of 1853 and said that there was much room for speculation in land along the proposed route of their railroad. The Northern Michigan was supposed to be an extension of the Grand Trunk westward from Port Huron to Grand Haven on Lake Michigan, and Gzowski & Co. got the contract for it on 24 November 1853. However, the two matters were quite distinct. White testified that as far as he knew, no member of the Canadian administration "entered into any kind of arrangement for speculation on such lands, or proposed to do so", or had any interest in the Sault Ste. Marie canal. When contacted, both Erastus Corning and Erastus Fairbanks, two of the canal contractors, stated that "No person in Canada has at any time been concerned in the said Contract". Hincks argued, both in the House and before the select committee, that the prospects for a Canadian canal were not great: there was only a potential trade, and even Thomas Keefer, who had done a survey, found that tolls would not be expected to pay for years. W.L. Mackenzie also agreed that Hincks was right in opposing the scheme, particularly since the Americans were building a canal there, and said that Hincks was "perfectly blameless".[97]

An adjunct charge came out of this supposed job in committee: Brown remarked that Hincks opposed government construction of the Sault Ste. Marie canal while the Ottawa canal was "forthwith taken up as a public work, and £50,000 of the public money voted to commence it." Brown said that the Ottawa canal was promoted because Hincks had "then acquired the property which he now holds in the vicinity of the Ottawa River above the canal." However, Hincks claimed that he had bought the land well after the appropriation "when on a visit to the Ottawa, in company with Mr. Attorney General Drummond, Mr. Egan, M.P.P., and others." He submitted his deed as proof.[98] The Legislative Council committee looked carefully at the timing, and found that the £50,000 appropriation to improve navigation on the Ottawa River was put to the Assembly on 8 June 1853, and was given royal assent on 14 June. It is clear that there had been some pressure: a petition was presented early in the session, John Egan asked for a survey, and several members commented in March on the importance of the Ottawa.[99] In any case, Hincks acquired land in the Renfrew area on 15 August 1853. The Legislative Council committee found that "no negotiation for the purchase had taken place previous to or at the period of the [improvements] grant."[100]

The Portland Railway stock scandal was also current in the fall of 1853 and was not settled until 1855. Hincks was charged with using telegraphic information, received in April 1853 about the amalgamation of the various railway companies into the Grand Trunk, to buy St. Lawrence and Atlantic Railroad stock at a large discount. The fact that Hincks told Brown about the amalgamation, indeed spreading the news through the House as soon as he received the information, proved that it was no secret. It turned out that Hincks had not bought the stock in question until much later, May 28, and at a premium rather than a large discount. Hincks insisted, too, that he had every "right to buy and sell Railway Stock as I please."[101] Even the Legislative Council committee reported that whether Hincks "purchased at a discount, at par, or at a premium, is a matter of little moment...if, at the time of these transactions, the parties interested were as fully aware of the value of their stock, and had the same information to guide them, as Mr. Hincks himself possessed."[102]

The Point Levi purchase was also examined carefully by the select committee after numerous witnesses had testified. In this case, it seems that Felix Fortier, Clerk of the Crown in Chancery and agent for the estate in question, told James Morris, Postmaster General, about the sale of 250 acres of land above Point Levi at the Etchemin River. Morris in turn asked Samuel Mills, a Legislative Councillor, to view the property with him. Fortier thought that the land would be a natural place for a junction of the Trois Pistoles and Richmond railroads, and told everyone interested that it would be a good speculation. Fortier, Mills, Morris and Hincks all went across the St. Lawrence to see the property on 5 May 1853.

Mills told Fortier that he had to leave Quebec shortly, and asked whether he could buy the property privately. Fortier mentioned that there had already been a few bids, but "that if he would give £1250 [Mills said £1000], I would prepare a Report for the Commissioner of Crown Lands to the Executive Council, and recommend a private sale." Mills then asked what Hincks thought of such a scheme, and when he walked back over to Fortier, the latter testified that he "told me Mr. Hincks had answered that the property having been advertised for public sale, it could not be disposed of otherwise."

They all returned to town, and the auction took place on May 17. The property had been appraised by Crown Lands for £600 currency, but there were sixty-nine bids, and it was sold to Mr. Matthie, Morris' business partner, for £1825 currency. Matthie was acting for Mills, Hincks and Morris. Hincks was thus able to argue that the sale had been advantageous to the public at the time, and denied the charge that he had bought it because a terminus would be fixed there (in fact, it was built four miles away at the Chaudière River). Another charge was that £200 had been paid to William Quinn of Quebec to stop his bidding, but James Ferres (dismissed by Hincks in 1848), testified that Quinn had been referring to the mill property (next to Matthie's), land that was bought by the railroad contractors. When questioned by Hincks, Fortier admitted "it probable that if those contractors had believed it at all likely that the junction would be on the farm, they would have endeavored to purchase it themselves...." Hincks claimed that he had done nothing wrong, and argued "that Executive Councillors have never in times past felt themselves restrained from purchasing public lands." Evidence had been presented by witnesses from New Brunswick and the United States that there was "no such restriction...and my belief is that there is none in England."[103] The committee concluded that "no suspicion of having been engaged in speculations against the public interests can be entertained against these gentlemen with respect to the said purchase."[104]

The last serious charge related to the Hamilton Post Office. George Brown had been told in Hamilton, "some time in 1853", by Robert Smiley (editor of the conservative Spectator), that Samuel Mills was buying property with some ministers and "using influence to have the new Post Office placed on a site which would greatly enhance the value of the speculation...." In testimony before the committee, Mills admitted that he, Hincks and Morris had bought eleven lots in total, some in the block next to the Post Office corner, others in the block beyond, from James Ritchie for £250 per lot in June 1853. However, he claimed that there had been no secrecy, as all three names were put in the Registry Books. Hincks got Mills to deny that there had been any suggestion "that those lots were likely to be improved in value by the erection of a Post Office...."[105] In fact, the committee noted that of all the sites proposed for the Post Office, the one chosen by Morris as Postmaster General was "one of the most distant from those purchased by Messrs. Hincks, Mills and Morris." When the committee communicated with one of Brown's sources, his answers did not corroborate Brown's statement.[106] Early in 1855, James Morris admitted to Isaac Buchanan that he had acted alone in purchasing the post office site, and that as far as he knew, Hincks was completely innocent- his "privity to any act of questionable morality I know no more than you do."[107]

There were two charges, other than the Sault Ste. Marie canal and the Hamilton post office, for which the committee could find no evidence against members of the Hincks administration. Neither the case of the Montreal Court House debentures nor the Victoria Bridge lots were brought up by Brown, but they did arise from "public rumour", or the "public prints".[108] They simply show what lengths were gone to in order to condemn Hincks and the ministry. At the end of 1853, after almost daily revelations in the Globe and other papers, W.H. Merritt wrote his son that "The Inspector General continues to be the best abused man in

Canada, and if an increase of bad feeling is a sign of popularity he is growing more popular."[109]

What effect did the scandals have? On Hincks personally, the effect was mixed - he was elected for his own constituency with a larger majority than he had ever received, and he was also returned for Renfrew, where he had never campaigned. However, he was forced to resign from the government, though he said on 8 September 1854 that he was "anxious to submit to the judgment of the House any charges that can possibly be brought against me", still maintaining his innocence. Thus, one of the consequences of the scandals was to make him a "governmental impossibility",[110] but he privately expressed relief and retired without sacrificing any of his policies or his principles, which he continued to defend in the House, and before committees of the Legislative Council and the Assembly. John A. Macdonald did make a private comment to Brown Chamberlin of the Montreal Gazette about the "disagreeable tho' necessary" washing of "the dirty linen of our predecessors",[111] but this letter was written on 2 February 1855, almost three months before the committees' reports were written. There is no evidence that the new government participated in a whitewash, even though MacNab had to be careful as his own transactions would not have borne much scrutiny.[112]

On April 25, the Legislative Council committee, with N.F. Belleau as chairman, reported that Hincks had done nothing wrong in the several cases. Five days later, the House committee, chaired by Sidney Smith, reported that while "certain Members of the late Administration have been interested in the purchase of public lands and securities, in the same manner as other individuals in the community and Members of former Administrations...no evidence [has been received] which...sustains a charge of corruption against any Member of the late Administration."[113] Smith added that his "Committee desires to express its astonishment that, after the circulation of so many charges of corruption against Members of the late Administration, and after so long an investigation, no person has appeared before this Committee, either to advance any such charge or offer evidence in support thereof...." Belleau did suggest that the "public interests" might "require an expression of the opinions of the two Houses of Parliament" on "whether it is beneficial to the due administration of the affairs of this country, for its Ministers to purchase public lands sold at public competition, and municipal debentures, also offered in open market or otherwise...."[114] This statement is important, for it appeared that politicians were beginning to move towards a definition of rules. Hincks probably realized that the issue needed clarification, but he held that without such guidelines, he was perfectly free to do whatever his conscience allowed.

Needless to say, George Brown was incensed at the reports, and he proceeded to publish, in five long chapters, his view of the evidence presented to the "Corruption Committee".[115] In spite of the sensitivities, the conflict of interest issue was not very important to Hincks in the early 1850s. The position of Brown and the Clear Grits was put forward as one of principle: they were opposed to ministers benefitting from office while supposedly protecting the public interest and acting as servants of the public will. But this principle was not accepted by most politicians, or even by the general public. Hincks claimed that he could have two masters, or even more, and had the capacity (or thought he did) to compartmentalize his life into personal, party, government, as well as local, provincial, and imperial realms. Few have such organizational skills. There is also no indication that John A. Macdonald felt constrained by notions of conflict after 1854.[116]

Just as those who supported Hincks may have had ulterior motives, those opponents who objected to Hincks' view may also have had other motives than public duty. One observer wrote of Brown that he was "not receiving from the reform Ministry that high consideration which his unbounded vanity and inordinate ambition led him to imagine he was entitled...."[117] The Rouge party also objected to the administration's activities and campaigned against them in the 1854 election. John Young, who had resigned as chief commissioner of public works in September 1852 over a difference with Hincks on commercial policy, made clear the reason for his opposition in 1854 in a letter to Luther Holton. He did not believe that Hincks had "the right to purchase public property, and buy & sell public stocks on his own account, in the same way that an ordinary individual not a Minister of the Crown might do...." He added that "such a doctrine if allowed to prevail, would be subversive of everything like morality in public men, and ruinous to the public interest....[118] But Holton also had a stake in the railway era, and his original interests had been thwarted by Hincks- he may have been cloaking vindictiveness with morality. Holton was elected for Montreal and he did oppose Hincks.

An important question that arises from the scandals is whether they changed the guidelines of public morality? On balance, the answer is no. The scandals called attention to the fact that responsible government was really little different from the old system, and though this caused much lamentation, not much changed, at least immediately. The new coalition espoused the same view as Hincks had done, and although the ensuing years were precarious from a political standpoint, corruption was not eradicated. The chief effect may have been that the scandals so disgusted advanced Reformers and Liberals that they served as a rallying point for the opposition. One of the results of the Hincks' years was political realignment on both sides, with Brown trying to bring together opposition forces and eventually succeeding in the formation of a Liberal party.

The scandals should not be regarded negatively as the straw that broke the back of the Hincks ministry. They were rather a political manifestation of the period; one of a number of issues used by the opposition to influence opinion in 1853-54. The scandals received much attention from newspapers, and were discussed during public dinners and election speeches; but so did the clergy reserves, seigneurial tenure, railway and trade policy, and a host of other questions. They were not a decisive factor in the 1854 elections, so other reasons must be found for the outcome: the redistribution and addition of forty-six seats had an effect, as did the affinity between Hincks and MacNab, and more broadly, between the Hincksites, French Canadian Reformers and moderate business Conservatives. For this group, the scandals were not an issue - their moderate views, their concern with provincial development, patronage and religion - are arguably more important factors in keeping the Liberal-Conservative coalition together. In adddition, the opposition must bear some responsibility for not getting their message across.

For his part, Hincks argued that he had done nothing abnormal. He claimed in his memoirs that he never sacrificed the principle of accepting a reward for political services - a rudimentary notion of conflict of interest, and one that many would challenge - but as premier he was setting the standard. While many did object to his example, many more had no scruples about following his lead. Yet it must be noted that even within the context of the time, Hincks' actions were constantly criticized - politicians like MacNab, Macdonald, Cartier and others were treated lightly by comparison. In the end, though, the committees believed him; MacNab, Macdonald and the Liberal-Conservative coalition did not disavow his view of conflict of interest; and the British government evidently saw no problem as Hincks was highly regarded. However, once he left Canada, there were few who defended Hincks - the field was left open for his detractors to carry on George Brown's view. Morality had not changed, but defending Hincks was not one of Macdonald's priorities - he had his own worries. Opportunists thus dredged up Hincks' name whenerver scandal was mentioned. When Hincks returned to Canada in 1869, he and Macdonald were reunited, again to Brown's dismay. There was speculation about his involvement in the Pacific scandal, and Hincks was involved in a court case when the Consolidated Bank of Canada, of which he was president, failed- the general manager was the crook, but Hincks had not supervised his activities very closely.[119] He never seemed to be able to get away from a tainted image.

This chapter is not meant to be "a dignified and worthy defence" of Hincks' actions. It is meant as a corrective. Historians who study the 1840s and 1850s should analyze the events but also the political and personal motives of the persons involved. Brown's arguments were coloured by his morality and his personal dislike of Hincks, and some balance needs to be restored to the writing about the period. Egerton Ryerson said in 1859 that in the course of his "long and stormy public life...he had never had to do with anyone 'holding the rank of gentleman', who was as unscrupulous as George Brown."[120] Hincks did not create corruption in Canada; in fact, he was operating at the limits, pushing them farther than they had been pushed before. Still, later standards of conduct cannot be used to judge him. Despite Brown's best attempts to destroy Hincks' reputation, Hincks should be seen as a survivor, and one who needs to be re-examined against the background of interest politics - party development and provincial development - without having his achievements coloured by an issue that was not as important in the mid-nineteenth century as it later became.

[1] Niagara Mail, 7 November 1855, 3.

[2] Jacques Monet, The Last Cannon Shot (Toronto, 1969), 229.

[3] Robert C. Brooks, "The Nature of Political Corruption", in Arnold J. Heidenheimer, ed., Political Corruption: Readings in Comparative Analysis (New York, 1970), 58.

[4] Samuel Huntingdon, "Modernization and Corruption", in A.J. Heidenheimer, ed., Political Corruption, 492.

[5] E.P. Thompson, "Eighteenth Century English society: class struggle without class?" Social History, 3 (May, 1978), 141, 142.

[6] Paul Romney, "'The Ten Thousand Pound Job': Political Corruption, Equitable Jurisdiction, and the Public Interest in Upper Canada 1852-6", in D.H. Flaherty, ed., Essays in the History of Canadian Law (Toronto, 1983), 2: 183.

[7] See David Gagan, "Property and Interest: Some Preliminary Evidence of Land Speculation by the 'Family Compact' in Upper Canada, 1820-1840", OH, 1978; and Hopeful Travellers: Families, Land, and Social Change in Mid-Victorian Peel County, Canada West (Toronto, 1981).

[8] Romney, "£10,000 Job", 183.

[9] MTCL, Baldwin Papers, Hincks to Baldwin, 12 January 1843, 1-4.

[10] Romney, Mr. Attorney: The Attorney General for Ontario in Court, Cabinet, and Legislature, 1791-1899 (Toronto, 1986), 186, 188.

[11] Journals, vol. 9, 1850, Appendix B.B., Inspector General's Reply; see Chapter 5- The Victory and the Wait.

[12] Patrick Brode, Sir John Beverley Robinson: Bone and Sinew of the Compact (Toronto, 1985).

[13] J.P. Merritt, Biography of the Honourable W.H. Merritt, M.P. (St. Catharines, 1875), 243-5, J.B. Robinson to W.H. Merritt, 7 December 1841.

[14] Romney, "£10,000 Job", 182.

[15] S.E. Finer, "Patronage and the Public Service: Jeffersonian Bureaucracy and the British Tradition", in Arnold J. Heidenheimer, ed., Political Corruption, 106-25.

[16] W.L. Riordon, Plunkitt of Tammany Hall (New York, 1963).

[17] Romney, "£10,000 Job", 189, 186.

[18] Ibid., 186.

[19] Michael Clarke, ed., Corruption: Causes, Consequences and Control (London, 1983), xiv.

[20] Robert C. Brooks, "Apologies for Political Corruption", in A.J. Heidenheim-

er, Political Corruption, 501-9.

[21] G.E. Boyce, Hutton of Hastings: The Life and Letters of William Hutton, 1801-61 (Belleville, 1972), 152, 2 May 1848.

[22] AO, W.L. Mackenzie Correspondence, 8476, Hincks to Mackenzie, 23 February 1852.

[23] See Chapter 2, n.122.

[24] Ibid., 8702-3, Hincks to Mackenzie, 2 July 1852. For an explanation of John Young's £4000 commission, see Pilot, 22 July 1854.

[25] Debates, 1852-3, 2: 1037.

[26] Ibid., 1040-1.

[27] Ibid., 1042.

[28] He later wrote that "My acquaintance with him at the time was but slight...." F. Hincks, Reminiscences of His Public Life (Montreal, 1884), 356.

[29] Journals, Appendix A.A.A.A., 1855 Report, 265-6.

[30] Ibid., 270.

[31] Ibid., 133.

[32] Ibid., 133-4, and Debates, 1852-3, 644, 819, 868, 893.

[33] Journals, Appendix A.A.A.A., 1855 Report, 133.

[34] Ibid., 285, 135, 337. Bowes received £3272 on 5 February and £743 on 4 April 1853.

[35] Ibid., 280-4.

[36] Globe, 8 February 1853, 2.

[37] Ibid., 24 February 1853.

[38] Romney, "£10,000 Job", 153-4.

[39] AO, Charles Clarke Papers, McDougall to Clarke, 3 February 1853, 3-5.

[40] Debates, 1852-3, 4: 3024, 3139-40.

[41] Globe, 19 July 1852.

[42] Ibid., 30 July 1853, from the Quebec Chronicle.

[43] Ibid., 12 August 1853, 2.

[44] Ibid., 9 August 1853, 2.

[45] *Ibid.*, 13 August 1853, 2.

[46] *Ibid.*, 3 September 1853, 2.

[47] *Journals*, Appendix A.A.A.A., 1855 Report, 216.

[48] *Globe*, 25 October 1853, 2.

[49] Romney, "£10,000 Job", 159-60.

[50] AO, *Clarke Papers*, McDougall to Clarke, 17 September 1853, 1-2.

[51] *Leader*, 15, 16 September 1853, 2.

[52] See G.S. Kealey, "Orangemen and the Corporation", in V.L. Russell, ed., *Forging a Consensus: Historical Essays on Toronto* (Toronto, 1984), 62.

[53] See Romney's "£10,000 Job", 153.

[54] The *Dispatch* was a conservative paper until late July 1853, when its foreman, P. Burke, took over and supported Hincks' administration. Also in August, Hincks' old enemy, J.G. Vansittart, converted the Woodstock *British American* to support the government's progressive reforms. See the *Weekly Dispatch*, 4, 18 August 1853.

[55] *Ibid.*, 8 December 1853, 2.

[56] AO, *A.N. Buell Papers*, Cameron to Buell, 23 September 1853, 2-3.

[57] AO, *Shenston Papers*, Hincks to Shenston, 11 October 1853.

[58] NAC, *Buchanan Papers*, 25797, Hincks to Farmer, 12 October 1853, telegraph. Hincks wrote that he was too busy to look after his directorial responsibilities.

[59] Bowes was president and had given the contract to Gzowski & Co., whose bid had been higher than Cotton's.

[60] *Journals*, Appendix A.A.A.A., 1855 Report, 225, 227, 262.

[61] *Ibid.*, 230-2, 244-50, 234-6. Those testifying were Hutchinson, Beard, Sheard, Ashfield, Carr, Tully and Thompson.

[62] *Ibid.*, 240.

[63] *Ibid.*, 239, testimony of Charles Orton, director; 240-4.

[64] NAC, *Mackenzie Papers*, 1083, M'Leod to Mackenzie, 26 December 1853, 2.

[65] *Journals*, Appendix A.A.A.A., 1855 Report, 252.

[66] *Ibid.*, 255-64. Charles Romain, Ogle Gowan, Richard Dempsey; and George Platt.

[67] *Ibid.*, 269-74.

[68] Ibid., 266, Glyn, Mills to Hincks, 6 December 1853.

[69] Ibid., 225.

[70] The Chancellor was W.H. Blake, the vice-chancellor J.G. Spragge - both were Reform appointees.

[71] In the majority were William Draper, W.B. Richards, and R.E. Burns. While these three might have been considered more progressive, they upheld the Chancery judgement and the "two masters" rule- a trustee could not be personally involved in a transaction.

[72] Romney, "£10,000 Job", 170-8.

[73] Ibid., 166. These three letters were written between April and June, 1852, and, in Romney's interpretation, "show that in April 1852 Bowes had known quite well that Toronto securities might command par or near it in London...."

[74] D.G. Creighton, John A. Macdonald- The Young Politician (Toronto, 1974), 22; see also J.K. Johnson, ed., Letters of Sir John A. Macdonald (Ottawa, 1968), 1, 8n.

[75] NAC, Galt Papers, Wilson to Holton, 5 November 1852.

[76] P.G. Cornell, The Alignment of Political Groups in Canada, 1841-1867 (Toronto 1962), 37.

[77] Romney, "£10,000 Job", 167.

[78] W.G. Ormsby, "Hincks", in J.M.S. Careless, ed., The Pre-Confederation Premiers: Ontario Government Leaders, 1841-1867 (Toronto 1980), 191.

[79] A legal quirk meant that Hincks could not have been called by an Upper Canada court while resident in Lower Canada- that was why a special arrangement was made to question him in Quebec.

[80] Romney, "£10,000 Job", 167.

[81] Debates, 1854-5, 1, 74.

[82] Romney, "£10,000 Job", 167.

[83] Ibid., 169.

[84] Journals, Appendix A.A.A.A., 1855 Report, 226.

[85] Romney, "£10,000 Job", 169.

[86] Ibid., 188.

[87] As the North American's government advertising had now disappeared, it was fully in opposition to Hincks and relished in adding to the scandals.

[88] Globe, 15 October 1853, 2.

[89] Ibid., 3, 14 November 1853, 2.

[90] Ibid., 24 November, 2, 5 December, 5, 26 January 1854.

[91] Ibid., 2 February 1854, 2; see also the excerpt from the Norfolk Messenger in the Globe, 16 February 1854, 1.

[92] Journals, Appendix A.A.A.A., 1855 Report, 111, 121, 163.

[93] Ibid., 167, 122.

[94] Hincks, Reminiscences, 347, Legislative Council Report.

[95] Debates, 1852-3, 19, 699-701, 967-8, 1515, 3132, 3178.

[96] Journals, Appendix A.A.A.A., 1855 Report, 108.

[97] Ibid., 128-9, 38-9, 93, 79.

[98] Ibid., 129, 171.

[99] Debates, 1852-3, 20, 362; 1587, 1968.

[100] Hincks, Reminiscences, 350.

[101] Journals, Appendix A.A.A.A., 1855 Report, 146-7, 169.

[102] Hincks, Reminiscences, 347.

[103] Journals, Appendix A.A.A.A., 1855 Report, 85-6, 36, 170.

[104] Hincks, Reminiscences, 345.

[105] Journals, Appendix A.A.A.A., 1855 Report, 126-7, 33, 86.

[106] Hincks, Reminiscences, 349.

[107] NAC, Buchanan Papers, 39095-6, Morris to Buchanan, 20 March 1855. At the time, Morris was opposed to Hincks and the new coalition.

[108] Journals, Appendix A.A.A.A., 1855 Report, 126 (Brown), 91 (McDougall). For the latter, see 82, 69, 60-1.

[109] NAC, Merritt Papers, 4344, W.H. Merritt to W.H. Merritt Jr., 31 December 1853.

[110] Ibid., 52.

[111] Johnson, ed., Letters of Sir John A. Macdonald, 1: 235, Macdonald to Brown Chamberlin, 2 February 1855.

[112] See P.A. Baskerville, "The Boardroom and Beyond- Aspects of the Upper Canadian Railroad Community", Ph.D., Queen's, 1973, 81-122, 130ff.

[113] Journals, Appendix A.A.A.A., 1855 Report, 4.

[114] Hincks, Reminiscences, 351.

[115] Globe, May 5, 7, 8, 9, 14, 15, 16, 19, 25, 1855, the last a sampling of the reaction of other papers to the outcome.

[116] See the various articles on Macdonald by J.K. Johnson.

[117] AO, Buell Papers, copy of letter from A.N. Buell to J.F. Davis, 13 Julv 1854, 3.

[118] Queen's University Archives, John Young Papers, Young to L.H. Holton, 30 June 1854, 1-2.

[119] Ormsby, "Hincks", in Careless, ed., Pre-Confederation Premiers, 189.

[120] Alison Prentice, The School Promoters: Education and Social Class in Mid-Nineteenth Century Upper Canada (Toronto, 1977), 92.

Chapter IX

A COALITION OF INTEREST

1854 was not a turning point in Canadian history, nor even the culmination of a process; rather, it was a continuation of the politics of interest. The coalition of moderate, business-minded men that Hincks had been trying to form since the late 1840s, and that Sydenham, and perhaps Draper, had sought since the early 1840s, was given some new personnel and a slightly different political hue. Its policies, its goals, and its character did not change. Traditionally, the coalition of 1854 has been seen as an important landmark in the political working relationship between English and French speaking Canadians. But this relationship had been forged by Hincks before the Union, and fine-tuned by Baldwin and LaFontaine, and later Hincks and Morin.

It has also been accorded importance because of the emergence of the Liberal-Conservative party. The old Reform party had broken apart after 1848, and, as Arthur Lower put it, "a Reformer with a completed programme is a Conservative."[1] But the coalition, too, had been evolving for many years. Neither Baldwin nor Hincks can be described as pure Liberals: the former was socially and instinctively conservative, though he had been labelled a radical by the Compact Tories for his constitutional ideas; the latter was not strongly wedded to any party. Nor can one argue that most French Canadians were very liberal. On the Conservative side, the opinions of men like Sir Allan MacNab had moderated considerably since the rebellions, and though John A. Macdonald was conservative by temperament, the label was almost meaningless - MacNab commented later that

Macdonald was "without exception the most unprincipled man I ever met."[2] There was thus nothing new in 1854, when, as one historian argued, "railway-minded moderate Conservatives joined with railway-minded Hincksites in a determination to press on with the railway programme and to dispose of the divisive questions of seigneurial tenure and the Clergy Reserves."[3]

The historiographic record contains much that is inaccurate about the coalition of 1854.[4] The best account, by J.M.S. Careless, is useful but quite general. He argued that the coalition brought together moderate politicians from both parties who were concerned with economic development and cultural safeguards, but "that ethnic and religious appeals, traditional political loyalties, and sectional and regional [as well as class] attitudes could and did cut across a merely economic structuring of parties in terms of land and commerce."[5] He might have added two other factors involved- personal differences and conflicting political moralities. Nevertheless, there has been no account of the role that Hincks and the politics of interest played in the formation of the coalition.

It has already been argued in preceding chapters that Hincks sought to use interest politics to broaden the Reform party and promote provincial development. This chapter will look at the last phase of this attempt as revealed in the events of 1854. In the early part of that year, Hincks continued to ignore, or at least play down, divisive questions. Lord Elgin had recommended that the clergy reserves and seigneurial tenure legislation be put off until after the next election, when an enlarged House would, he thought, better reflect public opinion. In fact, Hincks' concerns continued to be development related. The negotiation and ratification of the Reciprocity Treaty was his primary occupation. Yet he could not avoid Parliament, and the June session brought out partisanship at its worst - after a defeat in the House, he exercised his constitutional right to call an election, and continued to use the tactics that had been so successful to that point. He appealed to the interests of the people, and to businessmen in particular. The results show that the trend of businessmen entering politics continued. After the election, Hincks continued to appeal to the interests of wavering Reformers, and when defeated at the opening of the new session, orchestrated the Liberal-Conservative coalition, seeing it as the best vehicle by which the poltiics of interest could be continued and other large questions settled. Therefore, a combination of political circumstances combined to hurry the collapse of the old Reform coalition, a collapse that Hincks had been predicting since 1851. In its place was a new coalition, encompassing the same interests (the alliance between French and English Canadians and the desire to promote development), which Hincks supported until he left Canada for the imperial stage in 1855.

The affinity between Hincks and the Conservatives went back to the 1840s. He always kept his options open, and there are a number of indications between 1852 and 1854 that Hincks and the Tories were never far apart, and that the Reform party was in the process of disintegrating.[6] With Hincks out of the country for more than three months (March-early June) in 1854, it is difficult to believe that he could have kept close touch with the unrest that had been developing since 1851, and had gained considerable strength in late 1853 and early 1854.

In late 1852, William McDougall was quite pessimistic, telling John Rolph that he thought the party was "doomed", as there was "no sympathy, no cordiality, no cohesion" in its elements. It would inevitably be replaced by "a Tory-Catholic-loose fish combination...." Cynically, he added that "some men have sniffed the coming storm & are preparing a haven of retreat, while we outsiders must shift as best we can with scarcely a single plank to save us from sinking."[7] Hincks, he later claimed, "sees the difficulties ahead & with that shrewdness and indifference to principle which have always characterized him he is making ready for the turn of the wheel." McDougall thought the main problem was that the "Catholic element rules & will rule while the present Union lasts": "I am no bigot but I dread the influence of Catholic principles and priestly intrigues in our civil affairs."[8] Thus, he seemed to feel helpless in trying to avoid the route Hincks was taking the party, and he echoed Brown's fear of the French Canadian influence.

While little of the relationship between Hincks and MacNab was public knowledge, many Reformers were worried about a possible alliance between the Tories and the ministry. W.L. Mackenzie, early in 1854, wrote to Ezra Ames of Whitby, saying that "Mr. Hincks's conduct is very bad, and seems to tend purposely to throw aside the reformers, & build up our enemies. Mean, cringing, shabby, greedy men, uphold and prop him- caring only for themselves, & the hope of gain and office."[9] The Globe commented on such rumours in late January. It agreed that Conservatives would not join a government "under a premier so covered with the leprosy of corruption as Mr. Hincks", but added that "there are High Churchmen and railway men, who, for the sake of keeping the Reserves and making money, would join the Inspector-General or any other available person...."[10] The power of self-interest was quite evident to Mackenzie and Brown, who discerned Hincks' attempt to build a party around himself, rather than Reform or Conservative principles.

The increasing affinity between Hincks and some Conservatives was also fairly visible. Orangeman Ogle Gowan sold his Patriot, a Tory paper, to James Beaty and the first issue of the new paper praised "Messrs. Hincks, Ross and Morrison."[11] The Clear Grits were not happy with the paper's change of political stripes. W.T. Aikins, a Toronto doctor, wrote Rolph on 14 February 1854 and asked him why the Patriot was attacking "our school,- is it because Gowan, now having the control of it, is urged on by Hincks?" Aikins also informed Rolph that Solicitor General Morrison was unhappy. He was showing Hincks' letters to James Lesslie and George Brown, and had told McDougall that "he wished he was out of the Govmt- that he neither approved, nor liked their policy &c."[12]

Coalition rumours continued to spread. In mid-February 1854, the Globe printed a piece from the Tory Hamilton Gazette, which assured everyone "...that, up to the present moment, there has been no commencement of negotiations for a political co-partnership between the Conservatives and Francis Hincks." Brown was not satisfied, though, and pointed out how close the views of Gowan and Hincks were. He added that "Mr. Gowan is by no means a solitary man in his political capacity. There are hundreds of Conservatives just like him." It continued to argue with the hard-line Tory papers (like the British Canadian) that there was only a "slight difference in political sentiment which now separates the mass of the Conservatives of Upper Canada from the great body of Liberals of Upper Canada...."[13]

Even Speaker J.S. Macdonald was being urged to act by his friends, who continually reminded him of Hincks' treachery. Dr. D.E. McIntyre wrote Macdonald before the 1853 reconstruction that his claims on the Attorney-Generalship should be rewarded, but that he should not forget he had been betrayed by "the Talleyrand tribe of politicians", who owed their existence and sustenance to Macdonald.[14] No one knew what course Sandfield Macdonald would take. Alexander Cameron also expressed doubts about the ministry's chances. He wrote A.N. Buell on 13 June that the government "may be defeated and thrown into confusion." He said that "There is considerable opposition among the Lower Canadians to the Government...J.S. McDonald, Prince, Sicotte, Dr. Taché, are all displeased with policy of Govt in holding another session- Prince complains of management of Crown Lands Dept...Taché is opposed to Hincks' speculations & Sicotte is displeased at the Govt for not dissolving the House at once & appealing to the country-" Though Sicotte had told him "that there would be no coalition with the Tories among the French", he added that Hincks was "disliked by Lower as well as Upper Canada They believe him to be a Robt Peel statesman. Do anything for the good of the country: which means, to keep myself in power." Cameron concluded by saying that when the House met, the government "will go on with legislation but principally private business."[15] All this vituperation indicates that Hincks was increasingly isolated within his party, and that there was considerable speculation not only about what he would do but also what others - Reformers and Conservatives - would do.

Obviously, it was not likely to be an easy session. Brown and Mackenzie were going to attack the ministry for its corruption, and many Conservatives were also dissatisfied with the government. When the House met in the Quebec Music Hall,[16] the speech from the throne said very little: it regretted the Crimean War, and announced the intention of submitting measures to give effect to the Reciprocity Treaty, extension of the franchise, and lowering the tariff, before an election would be held. William Patrick, seconded by Dr. Poulin, moved the address in reply to the speech, and tried to deflect criticism by saying that the electorate must have its say on the clergy reserves and seigneurial tenure. From the beginning, though, Hincks faced an onslaught of charges and annoyances. Hincks made a long speech defending the ministry's course with regard to the reserves and the postponement, as well as the charges against him.[17] By the end of the night, Hincks knew that there were going to be a series of amendments to the speech the following week.

On Monday, Hincks said that the government would oppose all measures, except a reciprocity bill and one for the franchise, and then an election would be called- a clergy reserve bill would be introduced, as it had been printed, but not passed. Shortly thereafter, the government survived a vote on an amendment to the postponement put by the Tories and supported by Brown (40-29). But then Cauchon and Sicotte led an attack by some French Canadians on the government because it did not immediately abolish seigneurial tenure. Alexander Cameron reported that the ministry "had a very hot night", with "McDonald [sic] of Kingston accusing Hincks of knavery & Hincks in return blaming the family compact for having robbed the country."[18] The next day, the opposition continued its attack: Hartman, a Clear Grit, moved an amendment regretting that the government had not brought in measures to secularize the reserves and abolish the tenure. Hincks defended the government's policy, but it was not enough. After Brown spoke for "three mortal hours", according to the Leader,[19] there was little doubt that the ministry would lose a want of confidence vote, and eventually they did by a margin of thirteen, 42 to 29.[20] Only five Upper Canadians supported the government while eighteen opposed it.

As Alexander Cameron put it to Buell the next day, the "Govt defeated by their friends: that is to say by the withdrawal of the confidence of those who usually acted with them. Sicotte of Lower Canada was the main instrument."[21] Brown and the Globe rejoiced with "our whole heart...that corruption in high places in Canada will never go unpunished", and that the ministry's "doom is sealed".[22] Hincks had lost the vote because the House was not prepared to believe that he was sincere in his promise to secularize the reserves or abolish the seigneurial tenure. The scandals may have influenced some who wanted Hincks out of power, but most of Hincks' supporters had seen the other matters put off for too long, and their vote of censure was meant as a warning to him either to bring in acceptable bills or make way for someone who could. Hincks did neither, refusing to be pinned down.

After the vote early Wednesday morning, Hincks asked for a day to determine his government's course. Donald Creighton cited a report from the Leader that MacNab and Macdonald "stayed patiently in their hotel rooms [on June 21], waiting for a messenger from the Governor-General."[23] It never came. As for the ministers themselves, G.B. Thomson reported on 28 June that he had never seen Rolph "half so jovial, Cameron feels tolerably well, but the premier looks badly." He thought that "Those terrible thrusts in the House about the jobs set badly upon him, and the open declaration of radical MP's that it was on his account alone that they voted against the Ministry is anything but pleasant. Evidently the 'Emperor' is drawing near his end."[24] Hincks had decided on an appeal to the people.

The opposition to Hincks began to organize quickly. Brown met with J.S. Macdonald, A.J. Fergusson, Joseph Hartman, David Christie, William Patrick and "a number of other liberal members of Parliament" and they agreed "to oppose the Ministry at all hazards at the polls...."[25] MacNab and Macdonald held a similar meeting of the Conservatives, members and editors, and they also pledged to defeat the ministry, but more importantly, leave the reserves an open question. Indeed, MacNab intended to say to his constituents that his party "would yield if popular opinion clearly opposed maintenance of the reserves."[26] Nevertheless, the government also acted quickly- explanations were telegraphed to the Leader on June 23,[27] and the ministry's defence was before the people in less than one week. The Barrie Northern Advance exhorted Reformers to put aside their quarrels, saying "that upon this election hangs the fate of Canada." The paper criticized Mackenzie and the Clear Grits for having "stupidly supported their unchangeable enemies in the act of breaking up the Ministry...." However, it admitted that "there are charges made against some of them, in their private capacity, which, if true, we should condemn as sternly as any other- but Ministers are men...."[28] The Globe argued on 6 July that personal differences should be reconciled "so that there may be no disunion at the polls."[29] Its Quebec correspondent said that there was not much chance for Hincks to finesse "about the time for each election...They will come off pretty nearly simultaneously" in Quebec.[30]

Since the election was called immediately, with the writs to be returned by August 10, there was not much time to organize the campaign. Candidates had to sort themselves out for the additional constituencies, nominations took place between July 12 and 20, and polling was held around July 26 and 27. Hincks decided to stand for two ridings: Renfrew, a "County in which I take so deep an interest", and South Oxford. Of all the issues that had been prominent in Canada West leading up to the election - the growing split in the Reform party, railway policy, education policy, and the scandals - Hincks mentioned only two issues in his letter to the electors, and these were direct appeals to interests. He argued that the country's peace "requires that the Clergy Reserves Fund should be divided among the County Municipalities, to be disposed of by them as they may think most expedient"; and that reciprocity would lead to "a considerable reduction in the Duties on Tea, Sugar, Molasses, and other leading articles...."[31] These policies were calculated to hold the support of local officials, and exhort them to work for the government so that decentralization could continue. They were also a broader appeal to consumers, who would benefit in many ways from the new treaty with the United States. The real issue was whether Hincks and his supporters should continue to govern, or whether some other combination could defeat them.

In Oxford, Hincks' enemies were using every effort to secure his defeat: McDougall and Mackenzie visited the riding, the latter addressing every public meeting.[32] Indeed, Mackenzie claimed that he almost lost his own election because of his efforts to defeat Hincks.[33] The Hincks camp thought that they were doing well, and were confident of victory.[34] While Hincks campaigned in his own riding, he wrote letters encouraging other candidates. He also worked to defeat their opponents. One example was the Brant East election, in which David Christie was standing for re-election against Daniel McKerlie, a lawyer and independent Reform candidate. Hincks apparently used one "tool" named Mills "to work in a corner of the County where his money gave him some influence", and Hiram Capron, "another tool, did what he could in Paris, not...because he wanted the seat, but because as a reward of iniquity Hincks had promised to make him a Legislative Councillor!"[35] Christie was defeated, and when the election was contested, Hincks "had his way and we shall not have fair play"- Christie was kept out.[36]

When the Globe reported that Hincks had been returned for both his constituencies, it regretted the result, but was "not surprised". In South Oxford, "Hincks has a very large number of personal supporters, men whom he has attached to himself by benefits...A great many of the influential men of Oxford are office-holders or the relatives of such and a still greater number are expectants."[37] The paper admitted that there had been no contest- Hincks' opponents were weak; "no interest was taken,- a few voters only came to the poll, and as Mr. Hincks employed money freely, he, of course had the majority." It argued that the same was true of Renfrew, where Hincks' "money power told with great effect...." No evidence was given, but the Globe was certain "influence" had been used and voters bribed.[38] Hincks' patronage policy had at least paid off in his own constituencies, and Brown's statement is an indication of the effectiveness of patronage- it had a pervasive effect that was difficult to counteract. In fact, Alexander Cameron, who had stopped at the West Oxford polls on July 27-8 on his way back to Toronto, and wrote the Leader articles on the elections in Lambton and Oxford, was an expectant. He told Buell that Hincks was "well pleased" with his help, "and if he can assist the Secretary-ship [of the Law Reform Commission] I have no doubt he will do it."[39]

There was no agreement about who won the election. Both the ministerial papers and Brown claimed victory. The Globe of August 3 broke down the 61 Canada West returns to that date, and predicted the remaining four: there were 8 secularizationists, 15 conservatives, 28 independent Reformers, 12 Ministerialists, and 1 corruptionist (Bowes). Brown concluded that "With an enormous patronage used without scruple or hesitation, with overflowing purses, filled by 'mercantile transactions' and 'justifiable speculations', money easily got and lightly spent, the Ministry came to Upper Canada, believing that they would carry all before them...[and won] just thirteen members...."[40] He further predicted that the ministry would be in a minority of twenty when Parliament met.

On the other hand, the Leader concluded that the Reform "victory at the hustings has been complete", arguing that there was no doubt about the wide support received for Reform measures. It noted that six "malcontents or Browns of the Reform party" were returned; there were 32 Liberals who "place more reliance on the pledged faith of those who now hold the reins of Government...than on the bravado of a faction, or the clamor of a demagogue"; the Tories, numbering 23, were dismissed out of hand as "illiberal"; and even "the doubtful members" supported secularization.[41] The Northern Advance said on August 16 that it was "amusing, if not edifying, to ponder over the ambiguous classification of members by too many of our contemporaries...." Overall, though, it said that "the public will discern in the new House an acquisition of strength and talent such as never before met on the platform of Reform."[42]

The business character of the new members in 1854 indicates the appeal of interest politics. As in the past, Hincks' policies attracted a number of businessmen. Some previous MPs, like Robert Bell, a general merchant from Carleton Place, and John Wilson, a London lawyer, had not sat in the preceding Parliament. Twenty-four ministerialists were re-elected in 1854, and most continued to support Hincks.[43] Thirty-nine new members were elected on a ministerial ticket, and most of these were businessmen.[44] Conservatives were also entering politics in increasing numbers. Twelve Conservatives were re-elected, including Cayley and Cauchon, and nineteen new members entered the House.[45] With the occupation of only one unknown, it can be seen that businessmen were quite interested in politics. They sought to facilitate their interests by participating in the political system Hincks had created.

Hincks left Toronto for Quebec on August 7, to take stock and prepare for the meeting of Parliament set for September 5 "for the dispatch of business."[46] Despite Hincks' bravado at the public dinners in Orillia and London,[47] he was somewhat worried. The various oppositions were active, and Hincks wrote Shenston on August 24 asking "what success Brown & Sanfield Macdonald have had on their western campaign for Speakership- I believe they went together."[48] MacNab had met John Sandfield Macdonald and Brown, and had apparently promised to support Sandfield as Speaker.[49] Brown continued writing editorials against Hincks and the ministry: on 28 August, "The Proof of Ministerial Delinquencies"; 31 August, "Mr Hincks Jobs"; and 4 September, "The Point Levi Job."

With one Reform coalition shattered, Hincks sought to create another by appealing to the interests of the Liberals in Canada East. On August 13, he wrote A.T. Galt about the speakership, arguing that Cartier was "the best qualified...", but trying to downplay the differences between his party and the Rouges. He noted that there were "in L.C. three well-defined Parties, Cauchonites, Ministerialists and Rouges", and though the first and last had combined in the June session, they had nothing in common. As for the ministerialists, "We are gradually getting more separated from the Cauchons and the tendency is to carry us in the direction of a more Liberal party in L.C...[Yet] a crisis would have a most baneful tendency."[50] Hincks was obviously feeling out Galt, Holton and the Rouges. Holton, Hincks' old friend and more recent railroad rival, was advising Galt at the same time, writing from Montreal on 14 August that "It will never do for us, (the extreme liberals) to place ourselves in Coalition with the Tories, Brown & Cauchon. unsupported by the body of the liberals from Upper Canada-" He advised Galt that they should keep a free hand and not make any arrangement to support Hincks. Holton proposed to leave for Toronto on August 19 and hoped that Galt would meet him at Brockville or Kingston on August 22: "...we can see Ross at Kingston as well as J.A. McD whom it may be well to see- as it is important for us to ascertain something of the views of the conservative leaders."[51] Hincks awaited the decision of their deliberations.

By August 21, Hincks had heard from Galt and Holton. Both men, he said, were "determined to bring on a political crisis at this moment, if within their power."[52] He appealed directly to their interests, warning them that whatever the possible consequences, "it cannot be of service to the Liberal Party." He criticized Galt by telling him "that you and Holton are now urging the absurd policy which Brown has long been at, of separating ourselves from the L.C. majority and forcing them into the Conservative camp." And he reminded Galt of his opinion that "so long as there were great issues on which the L.C. majority were agreed with us it would be actual madness to bring about the crisis which is demanded." Hincks was quite candid about the outcome, saying that "there would be a most formidable combination, embracing in all probability a majority from L.C. and a very strong minority, if not a majority from U.C."

Hincks saved his most telling argument - his final appeal to the interests of the Lower Canadian Liberals - for last:

> All our measures would be risked, and what is of even more importance, the Provincial credit would be damaged. Not, believe me, that I am vain enough to think that my being in office would have any influence one way or another, but I am certain that with any new possible government men would come in wholly inexperienced and much prejudiced and would do great mischief. For my part, I wash my hands of the responsibility of consequences. You and Holton both have more interest than I have in preventing a political crisis at this moment.[53]

Hincks concluded by saying that there was no possibility of a union with the Rouges, if only because they had so strongly condemned Hincks' corruption. He called the course of Galt and Holton "unstatesmanlike and politically unsound", and appealed to them to act sensibly, so as not to do "injury to the public interest." He had at least tried to avert the crisis, and would "leave the responsibility for events to others."[54] This was a blatant attempt by Hincks to pressure Galt and his friends to support the government- a reminder that political instability was not good for business.

Galt wrote back to Hincks, saying that he would not vote with the Rouges "provided the position assumed in the Speech from the Throne were such as I could conscientiously support." He added that he "had every confidence the Ministry would carry them out and would not separate myself from the majority of the Liberal party on account of other measures which I myself desire."[55] With this assurance, Hincks must have been more confident that he could survive a crisis. However, the ministry continued to use every means it could to assure that it would survive when the House met. Joseph Morrison wrote Isaac Buchanan about the wavering Donald "Mathieson" of North Oxford. Morrison had no doubt that Buchanan could "learn from Mathieson his reasons for such a course & can explain to him the dishonesty of Brown's proceedings & with little trouble convince him that his following Brown would be a great error. You will do Hincks some service...."[56] Such pressure was likely brought to bear on any wavering Reformers.

Hincks also seemed quite concerned with the fate of Malcolm Cameron, who had been defeated in Lanark and Lambton. He decided to offer Cameron his South Oxford seat.[57] He said that if Cameron was not in Parliament when it met "vy bad consequences may ensue...the Ministry would be much damaged by any appearance of want of unanimity at present."[58] He asked Shenston to get up a requisition and have it "signed by the leading men in each township": "Of course the more the better but numbers are not necessary as they could cause trouble. Influence is what we want and it is easy knowg the men of influence in each township."[59] Hincks had thus arranged for Cameron's election, but could not let him leave Quebec until after Parliament met and the government survived. The fact that Hincks was willing to give up South Oxford is possibly an indication that he did not plan to remain in politics long. He did have land in Renfrew, but it seems that the new county was a temporary political base, one that allowed him to use Oxford to help Cameron.

At the end of August, Hincks was mildly optimistic about the coming session, but obviously tired of the struggle. He thought that as long as "there is no treachery in our own ranks we must succeed-" However, he was "more & more sickened not only with the treach[er]y but with the downright stupidity of the party. Only think at this time gettg up a cry about the Atty Genl that he ought to be in the Assembly," A man of Ross' "great ability" was needed in the Legislative Council "in ordinary circumstances...but at a crisis when our great Clergy Reserve bill is at stake when all the danger is in the Council, they actually want to quarrel with our ablest man in that House & the only man who can carry the Bill. I confess such things drive me half distracted & the truth is that it arises more from utter want of reflection than anythg else."[60] It seems that Hincks would be relieved if the doubts were removed.

If Hincks was uncertain about what would happen, so too was everybody. Brown hoped that the ministry would be defeated, but was not sure when or how it would happen. W.L. Mackenzie could not "even guess" at what was going to happen.[61] G.B. Thomson wrote Charles Clarke, saying that he thought the ministry "will stand, will secularize the Reserves establish Reciprocity, make the Legislative Council elective &c, &c, and enrich their names with a halo of glory!! Would you like to bet a hat on this?" There was considerable support for settling "the great question", but also much talk of balancing "the Books with the Ministry." Thomson thought that J.S. Macdonald might get the Speakership "If the tories, Brownies, & Rouges of L.C. vote for...[him] But he has not the moral or intellectual character sufficient to be a leader, or a premier. Funny to see Brown the champion of Protestantism supporting a Catholic like McD."[62] However, they all had to wait and see how the individuals would act.

The election and post-election manoeuvers are another example of Hincks' continuing attempts to use interest politics to rally support. He had stressed unity among the remaining elements of the Reform party, and appealed to businessmen by concentrating on policies like reciprocity. He had used the power and influence of the government in trying to assure electoral victory, succeeding in some cases (keeping out Christie in Brant East). Though he failed in others, Hincks was still concerned with getting a seat for Malcolm Cameron. He particularly appealed to the business sense of Galt and Holton in attempting to bolster the ministry's position. The use of patronage and development policies had at least created a situation in which Hincks had a chance to influence events: he hoped to continue to manage the political factions, turning his back on estranged Reformers like Brown and Mackenzie while restricting their influence, and concentrating on developmentally-minded Liberals in Canada East.

Hincks issued a circular "for a meeting of members favorable to the policy of the Government, on Monday, the 4th September."[63] There is no record of the number who attended, but it was known that the question to be decided was who should be chosen speaker. The Pilot argued that it was, by custom, Lower Canada's turn to have the speaker chosen from among its members: it ruled out altogether J.S. Macdonald because of his attack on the governor at the close of the last session; and its Quebec correspondent listed MacNab, Cartier and Morin as the other potential candidates, saying that Morin was the best.[64] However, Hincks could not afford to lose so valuable a minister as Morin to the speaker's chair. The meeting decided by ballot that Cartier should be the candidate - he received 48 votes according to W.L. Mackenzie.[65] Needless to say, Sandfield Macdonald, Brown and their friends did not attend. It was widely known the following morning- the day before the session opened- that Cartier was the ministerial selection.[66]

When the House did meet, the government was confident, expecting "a majority of four."[67] Cartier was proposed by Robert Spence, who emphasized that Cartier was merely the choice of Spence's "political friends", not a ministerial candidate. However, the vote was 62 to 59 against Cartier. The Pilot's correspondent put the best light on it, saying "that all the Conservatives, the Rouges, and the unsatisfied Liberals, voted together, and that two Reform constituencies were deprived of votes by the return of Messrs. Hincks and Chabot for four places, and that Mr. Cartier himself did not vote...."[68] Moreover, six members were absent, five of whom would likely have supported Cartier.[69] However, those members were not present, and the elections for South Oxford and Bellechasse would not be held until October- Hincks knew his government was in trouble. In an era before formal non-confidence votes, he had received a vote that spelled the end of his term in power.

L.V. Sicotte was next nominated for speaker. The immediate embarrassment of having Sandfield Macdonald elected speaker was avoided when, after Sicotte's friends, three or four Tories and several Upper Canada Reformers from both sides of the House, had voted for him, Hincks and his friends stood and did likewise.[70] Sicotte was elected by a vote of 76 to 41.[71] The next day, Elgin read the speech from the throne before an assembly of 1500-2000 in the Music Hall, promising action on the Legislative Council, the Clergy Reserves, seigneurial tenure, and reciprocity- all measures calculated to attract the most support for the government, as they appealed to those interests shared by almost all the members. Hincks wanted to go on with the address immediately, but MacNab asked for time to consider the speech, as he had not received the customary printed copy due him as leader of the opposition. Hincks responded with some levity, saying that "as there were as many as four or five distinct parties in opposition, and of course a leader to each party, it would be difficult to furnish each with a copy of the address...without the risk, or rather certainty, of making the speech public, by the multiplication of copies...."[72] The proceedings were adjourned for the day.

The problem came the next day, September 7, when the government, which expected to begin the debate on the address, could not control the House. One of the Rouges brought up as a question of privilege the irregular return of the member for Bagot, but though Drummond asked that the matter be postponed for one day to look into precedents, the ministry was defeated by a margin of 15, 61 to 46. Rolph voted with the majority and against delay or adjournment, and Hincks broke into the proceedings to protest "the tyranny of a majority to stifle discussion."[73] By then, he had already determined to resign. He wrote Elgin that evening: "There is no doubt that we cannot carry on the Govornt"[74]

Hincks explained later that as Galt had refused to support the ministry, there was no point in continuing.[75] Galt was friendly enough, assuring Hincks of "his strongest personal regard", and hoping "that although the differences on matters of politics may cause a momentary irritation they will never interfere with our personal relations."[76] Hincks answered quickly and frankly that he wanted "no vote from any man who does not believe my word as a minister, that I am prepared to secularize the Reserves...." And he again referred to Galt's interests, property values and access to credit: "When dealing with a question of property [in the seigneurial tenure] it is perfectly right, and no man should more cordially support this part of the speech, so calculated to serve our credit in England which people are always saying will be impaired by this Bill, than a man so interested as you are in the maintenance of that credit."[77] He expressed his disappointment, but accepted the inevitable. He knew he had only days left, but he soon received more bad news. Rolph apparently told James Morris and P.J.O. Chauveau that he wished to resign because Sicotte had been elected Speaker.[78]

Before Rolph could resign, Hincks took advantage of the Brodeur incident to consult with Morin and other ministers (not Rolph), who "entirely concurred with me as to the necessity of resignation." Hincks went to see Elgin in the morning, "and tendered him the resignations of Mr. Morin and myself." John Ross, James Morris, Malcolm Cameron, John Rolph and Joseph Morrison also resigned. Hincks said clearly that he had not been invited by Elgin "to give him any advice as to the person to whom he should entrust the formation of a new Administration."[79] Hincks noted that before he left Elgin "His Excellency...did inform him...that it was his intention to send for the hon. and gallant Knight." At this point, Elgin naturally turned to MacNab, "as leader of her Majesty's opposition in the House."[80]

Hincks, having failed to appeal to the business sense of Galt, still thought that interest politics could succeed. He thought MacNab would fail, after which Morin would probably be asked to try himself. Hincks reasoned that if he removed himself from the Reform party leadership, and used the members' interest in secularization as a drawing-card, his old followers would be joined by several liberal-conservatives who were elected on secularization planks. Both these groups could then coalesce with Morin in a government which could command the House. Consequently, as soon as he left Elgin, he "proceeded at once to town, and summoned an immediate meeting of my Upper Canada supporters to consider what course should be followed under the circumstances." Later that day, he wrote to inform Elgin that though his friends "unanimously pressed" him to stay on as leader, "on his (Mr. Hincks') proposal John Wilson Esq MP for the town of London was elected leader of the party with only two dissenting voices [Merritt and Foley, a follower of Rolph's]."[81] This letter may not have been advice, but it was certainly a hint that the Upper Canada ministerialists had reformed themselves on the secularization issue, and could appeal to the interests of other conservatives like Wilson for additional support.

Hincks claimed in his Reminiscences that he "had not the most remote idea at the time that so many influential Conservatives would have adopted the policy which I had felt assured Mr. Wilson would take." After securing Wilson's position, hoping that ~~enough~~ Conservatives would follow him to form a government with Morin- a liberal-conservative ministry- he "then waited events."[82] When he gave his resignation speech to the House on September 8, he said that he was personally embarrassed because he could not deliver a majority of Upper Canadian votes "to sustain my honourable colleague (Mr. Morin)...." He claimed to know "nothing at all of what is going forward", but during "this [important] crisis in the affairs of the country...I do trust public ~~men will be influ~~enced, not by selfish considerations, but by a patriotic desire to carry out those great measures which the interests of the country demand." He in fact meant both, as personal interests could be protected and enhanced by provincial development. Morin was shedding tears by the end of Hincks' speech, and Young, Merritt, Cauchon and others "walked across the room and shook hands with Mr. Hincks."[83]

MacNab was asked to form a government, and according to biographer Donald Beer, he called a meeting in his bedroom, at which it was decided that the Conservatives should try. He had to fend off an attempt by John A. Macdonald and the "Young Conservatives"- W.F. Powell and Dr. William Clarke[84] - who wanted MacNab to decline the offer, suggesting Macdonald instead. This idea was rejected and MacNab's leadership was unanimously confirmed. MacNab then approached Morin, who was apparently "sympathetic", but "insisted first on setting himself right with Hincks and then on maintaining the old government's legislative program."[85] Hincks told the House on September 11 that Morin had called on him at 9 a.m. Saturday [9th], told him that MacNab "had asked his assistance relative to the formation of a new Cabinet, but that before giving any answer he desired to obtain his (Mr. Hincks') advice." Hincks said that he knew Morin "could never consent to abandon one of the principles of his party," but when he found that MacNab "was ready and determined to give up his former position", he told Morin that he should unite with MacNab "if he could get an Upper Canada majority to carry out the leading measures of the late administration."[86]

Hincks stressed that he "could not join the combination" but "would give it a cordial support...." He explained that he had then met Drummond, and "told him (Mr. D.) that he [Hincks] would not accept office for any consideration." Late in the day, Drummond "brought about the first interview between Sir Allan McNab and that gentleman [Hincks]." MacNab called on Hincks, "declared his conviction that the country demanded the measures of the late ministry and that he was prepared to form a coalition in good faith and feeling to carry these measures."[87] Such an arrangement was exactly what Hincks had been striving for, though he thought that Wilson rather than MacNab would lead it. He wrote Wilson on September 14 to this effect: "...in the state of parties in the House, I do maintain most unhesitatingly that no Government could be formed except by means of coalition of some kind, and in point of fact there is no very material difference between the present coalition, and any which could have been formed under your leadership."[88]

Thus MacNab, rather than controlling the situation, was feeling his way along- he was trying to form a government and had little choice but to apply to Morin for help. Morin, for his part, was disinclined to act without his old leader's approval. To give some idea of the regard in which Morin held Hincks, he praised him in the House by referring to his independence, patriotism, generosity, uprightness, and self-sacrificing spirit (in the political rather than the material sense).[89] As soon as Morin informed Hincks of MacNab's offer, Hincks carried out the negotiation- it was after all a reconstruction of the western party. MacNab went to Hincks as a supplicant, asking for "his [Hincks'] opinion as to the possibility of getting the support of the friends of the lete [sic] Gov't on the basis of a cordial co-operation."[90] Hincks' response, before consultation with any of his Upper Canadian friends, was "that the new Ministry would have to take in a couple of Reformers to command the confidence of that side of the House from Upper Canada, and he had recommended Mr. Spence and the Hon. John Ross." MacNab accepted the arrangement, and Hincks in turn "gave a promise of support [for himself only] to the coalition formed to carry these measures." MacNab "made an appointment to see me [Hincks] again the next morning as he had of course to consult his friends."[91] Creighton related that Egerton Ryerson met MacNab "as he was coming out from his interview with the late Inspector-General, [and] reported that Sir Allan was laughing heartily."[92] The deal had been struck and both Hincks and MacNab were happy. A coalition of interests had been formed.

When MacNab told Hincks the next morning "that he was prepared to form a Government on the basis proposed," Hincks became MacNab's agent: "...he then authorized me to see my friends, and made another appointment for the evening, when I was to communicate the result." Wilson did not object to the proceedings,[93] though he said that he himself would oppose it: he wrote Hincks that the leadership had been "thrown upon me unexpectedly, and I was happy in being relieved from it."[94] Wilson also encouraged any who wanted to support the coalition "for the sake of the measures", to do so. Hincks saw other friends and "the great majority" of them "were of the opinion that we should not be justified in opposing a Government formed on the basis proposed."[95] In this way, Hincks was able to tell MacNab on Sunday evening that the coalition was completed, and MacNab, Macdonald, Cayley, Smith (Solicitor General), and Spence were sworn in on Monday.[96] Hincks told the House later in the day, that "A coalition between Reformers and liberal Conservatives was natural". This statement shows that Hincks thought a coalition on moderate, business-oriented lines was the logical result of his political efforts. He added that it was also "a very natural consequence of the kind of opposition that the late Government met with from such men as the hon. members from North York [Hartman], South Wentworth [Freeman], Middlesex [Scatcherd], Lennox and Addington [Roblin], and Northumberland [S. Smith]" as well as Mackenzie, Brown, and Sandfield Macdonald.[97]

The reaction to the coalition was fairly predictable: disbelief was quickly followed by expressions of support or opposition. W.H. Merritt wrote Isaac Buchanan on September 15 that he had been wrong in thinking that "a party of reformers would be selected." On the contrary, "a Minority from Upper Canada has been selected to Govern a Majority." He was quite bitter, repeating Tiger Dunlop's epithet about responsible government (it was a trap set by knaves to catch fools), and adding that "Lord Elgin will leave this Country in greater confusion than any former Governor & responsible Govert blown away- without the regret of a single man in Canada."[98] David Christie took the same view on September 11 in his telegraph to Buchanan: "There is awfull treachery Hincks has sold us to McNab in the New Government-there are four Tories and two reformers Traitors-Spence is one of them."[99]

Explanations were soon forthcoming. Hincks also wrote Isaac Buchanan, asking him to "judge calmly in the cause of the crisis & of it's [sic] merits": "Like all other crises it separates old friends and reconciles old enemies. By means of it a powerful Govmnt has been formed which will last until public opinion leads to a new change."[100] Hincks' letter to Baldwin, asking his opinion, elicited a favourable response, which was read in the House on October 13. Baldwin said that "however disinclined myself to adventure upon such combinations, they are unquestionably, in my opinion, under certain circumstances, not only justifiable but expedient, and even necessary." He stressed that "The government of the country must be carried on. It ought to be carried on with vigor. If that can be done in no other way than by mutual concessions and a coalition of parties, they become necessary...." He added, "without reserve, that in my opinion you appear to have acted in this matter with judgment and discretion, and in the interest, at once, of your party and your country."[101] Hincks was obviously gratified with such an opinion - even Baldwin recognized the importance of interest - although Dorion was not impressed, saying that he "would like to hear the letter inviting the expression of Mr. Baldwin's opinion read."

Other colleagues had varied reactions. J.C. Morrison, Hincks' solicitor general, wrote Buchanan on October 7, saying that while the political future was "anything but clear for me", the new government should have a few sessions to carry out their program.[102] Despite appeals to support the MacNab-Morin ministry, Isaac Buchanan decided to oppose it: he thought MacNab's new connection with the Grand Trunk would hurt the Great Western. James Morris believed that "it was Brown's incessant goading of Hincks which impelled him [Hincks] to sacrifice the party to which he was indebted for his prominence as a politician, rather than see the former attain to office."[103] Merritt joined Morris in opposing the coalition because they thought it established a double majority system and allowed the Tory minority to control Upper Canada. Business reasons did not influence their position, except in the case of Isaac Buchanan, and his brother Peter was furious that relations with MacNab had degenerated so far.[104]

The Globe immediately condemned the coalition, calling it a corrupt combination, and Hincks' creation: "On every step in the formation of the government Mr. Hincks was consulted, nothing was done til he had declared his satisfaction, nothing was hoped for without his support...."[105] Brown chided the conservative journals for misrepresenting their position, arguing again and again that "Mr. Hincks [not MacNab or Macdonald] formed the present government and it holds office at his mercy."[106] Thereafter, Brown published samples of press opposition to the coalition in addition to his own comments on proceedings. He even continued reporting alleged corruption, including a piece from the Picton Gazette on "Mr. Hincks' Last Job". Someone wanted to be appointed to a vacant judgeship in one of the Wellington counties, and "offered a member of the House £500 if he could procure the appointment from the Government for him". Apparently, the member had been a Conservative, though he had "more recently avowed 'Railroad politics' to be his motto-thereby meaning an aptitude for selling himself to the highest bidder-" He got in touch "with the chief chiseller", Hincks, who insisted that Cartier be supported for the speakership. Brown concluded by saying "that the bargain was fulfilled on both sides-that the man who paid the consideration got the judgeship, and that the records of the House show the man who received it voted with the Ministry."[107] The story was typical of those that continued to circulate about Hincks and his new friends.

Hincks was quite busy after the new coalition took office. While the new ministers went off to secure re-election, Hincks wrote an explanatory pamphlet and sent out letters to his supporters. He left for Canada West after September 15, helped Spence in his campaign, and was targeted by the opponents of the coalition. Brown, Mackenzie and many other signatories to a "round robin" went to North Wentworth to attack Spence and the new ministry. Hincks commented on the effectiveness of the opposition in the House on October 12, as four of the ministers "had been elected by acclamation; and Mr. Spence, by a very large majority in North Wentworth, where the hon. gentleman and others had gone to use their best exertions to procure his defeat."[108] Hincks also made appearances with Elgin on the Governor General's final tour of Canada West.[109]

When the House reconvened on October 10, Hincks was the most prominent supporter of the ministry outside the cabinet. The first measure brought forward by the government was the appointment of a special committee, with seven members, to investigate "all charges preferred or alleged in this House, or elsewhere, respecting the dealing of any member or members of the late Administration, in the purchase of public lands, in the traffic or purchase of Provincial, Municipal, or other public securities or stocks, or of stocks to railways, in the construction of public works, either foreign or provincial and respecting any other charges of official misconduct whatever against them or any of them...."[110] The committee sat from 23 October to 13 December 1854; and 16 March to 30 April.[111] Alexander Cameron reported to Buell on October 30 that Brown "has repeatedly declared that the Committee is a farce- that the corruption is so palpable that it is a mock to be pretending to examine it." He added that "Hincks says his vindictiveness is beyond all decency, & he feels outraged."[112] The meetings took place while the House was not sitting, so that Hincks continued his prominent role.

There are many indications that Hincks' influence did not end after he resigned as premier. Egerton Ryerson wrote Hincks on October 7 about the School Bill and another matter, possibly relating to the annual grant to education institutions. Hincks answered on 10 October, advising Ryerson about the way his report should be presented to the House: "All you will have to do will be to explain to the Prov Secy- I can say nothing yet about the School bill as the Ministers are only getting back from their elections- I shall not lose sight of it."[113] At the same time, Hincks was helping Alexander Cameron as much as he could. He presented a petition for Cameron on October 30-[114] and Cameron thought that he would "succeed in everything", apparently referring to some speculation on Toronto. He mentioned that Galt and Holton, who were part "of the firm of Gzowski & Co who have the contract for filling up the water lots, are also in my favor inasmuch as we are not attempting to disturb them or their interests; & that of the Grand Trunk Railway...Bowes will also support me in part, if I can rely on his promises."[115] Cameron was also impressed with Hincks, telling Buell that "There is no man in the House that is wielding such a marked and decided influence in the Parliament & Government as does Francis Hincks. What he says is law...." He he did not think "any fault will be found with him by the Committee and this is what Brown fears."[116] Buell himself wrote Hincks, as well as John Ross, on 2 May 1855, about his "overlooked" salary increase: he asked "that you will interest yourself and attain an increase of my salary dating as far back as possible...",[117] evidently thinking that Hincks could help. His role seems to have changed very little.

Nor was Hincks forgotten by the newspapers that had formerly been loyal to him, and continued to support the coalition. The Toronto correspondent of the Northern Advance did not think that MacNab's government was going to last long after it was first put together; rather, Elgin would have to call another "into his councils; and this other person will have to give place to some other; and that other in his turn, may have to give place to another, and so on, until we find Mr. Hincks recalled with power to create a ministry, which must of necessity be one of his own nomination." He argued that Hincks' career had not ended, and praised "the talents of the man- talents of an extraordinary and peculiar character, which have in their combined influence and exercise placed him, in this Province, on a pinnacle of celebrity which men of greater pretensions have vainly endeavored to attain."[118] The St. Thomas Weekly Dispatch also defended Hincks on 4 January 1855. His detractors, it noted over and over, complained that "Hincks is rich", but asked its readers to consider how far the country had progressed. There followed a list of the benefits ~~-~~Hincks had brought to Canada. The paper concluded by telling "Canadian scribblers" to "Hide your diminished heads you greedy cormorants and bow yourselves with submission to Hincks' superior talents whether he is rich or poor."[119] The apologists were already active.

In several ways, the Liberal-Conservative coalition owed its existence to Hincks and his support helped it to get off to a smooth start. When there were criticisms that the Clergy Reserve Bill was altered, Hincks told the House that the new ministry had only agreed to carry out the principle of secularization, not every detail of the previous ministry's bill. It was perhaps unintentional, but Hincks continued to act as a lightening rod for the opposition: their attacks may have diverted some attention from the new government and allowed it to consolidate its position. Macdonald, for one, was quite concerned with the party's weakness, and asked Henry Smith if "you would confidentially bring out Lewis Wallbridge": "It is of importance to us Tories to increase our members in the House. We are always in an unsafe position while our friends are so few."[120] The cabinet was reorganized on January 26, with Morin, Chabot and Chauveau replaced by Cartier, Cauchon and Lemieux. Macdonald explained the changes to Brown Chamberlin of the Gazette on 2 February, but pointed out that "your Quebec correspondent is all at sea about the introduction of Hincks into the Cabinet. He does not desire it, nor do we. In fact it would be ruinous to both. There never was the slightest foundation for it- his name was never mentioned."[121] Now the Conservatives were trying to stamp out rumours about Hincks' connection with the government.

Hincks' view "of the last Ministerial shuffle" was that it "ought to strengthen the Ministry but will more likely weaken it." He thought that "the disappointed men will join the Rouges" but they would "carry no influence but their votes."

Still, he did "not think a better arrangement could have been made. The effect will be I presume to postpone the Legislative Council measure which I think very desirable." He mentioned that "Morin was most unwillg to leave the Govemt until after the session. However they contrived to get him out- I am glad he had sense enough to go into the Superior Court instead of the Queens Bench as he is wholly unqualified for discharging the duties of a criminal judge."[122] His comments reflect the fact that he was no longer intimately connected with the government, which, after the shuffle, as Macdonald said, "start on our own hook, and want only a fair field and no favour."[123]

Hincks was mostly concerned with the investigation committee in March and April 1855. After the reports "exonerating" him were delivered, he began preparations to leave the country, and did so in late May.[124] While in England, Hincks' future did not remain uncertain for long. Colonial Secretary Sir William Molesworth offered him the governorship of Barbados and the Windward Islands. He returned to Canada in August, but before leaving to take up his new position, he was given two banquets, one in Brantford, and the second- even more impressive- in Niagara Falls. The first was a hurried affair, though about 150 friends and supporters from Brant, Haldimand and Oxford counties gathered for "a magnificent banquet." The Globe ridiculed the demonstration, saying that it was a total failure, "an impudent attempt to whitewash Mr. Hincks from all his black catalogue of misdeeds...."[125] However, the Zimmerman dinner could not be ignored. It was a reflection of the strength of interest politics: more than 300 sat down to dinner on November 1, and "Upwards of 1000 persons" attended the ball afterwards, from the Governor General, Premier, and cabinet ministers to MPs, businessmen and friends. All agreed "that no entertainment had ever been got up in Canada equal to...Mr. Zimmerman's." MacNab, who had "been opposed to him" and "felt the advantage of his support", spoke for all present when he said of

Hincks that "Few men have enjoyed so large a portion of public favor in this country as he has...." He wished Hincks "all success and prosperity, and will be very happy and delighted to see him back here, as he says he intends to return, when he can give us the result of his experience, and tell us how it suits to act as Governor, instead of play Prime Minister."[126]

The thesis has contended that Hincks played a major role in orienting Canadian politics so that the focus was placed on the progressive middle rather than the extremes. His patronage and development policies had attracted businessmen to politics, and in attempting to broaden the Reform party in this direction, he made an alliance with moderate Conservatives natural. The extreme right had been isolated- the old Compact Tories were gone by 1854- and on the vote to secularize the reserves, few defended the vested rights of the Church of England. On the other extreme, Brown had always been isolated, as he considered himself independent and unaligned, although he did support most of the Clear Grit opposition- the basis of cooperation after 1854 was made necessary by Hincks' coalition. For the Lower Canadians, Hincks had made an effort to obtain the support of the advanced English Reformers, particularly Galt and Holton, but the gap was too wide to bridge in so short a time, while most of the French Canadian advanced Reformers were far from satisfied with the reforming efforts of the government. They, too, were isolated by Hincks and the coalition. The result, eventually, was a new English-French Liberal party, though it took many years to develop.

There seems to have been an affinity between Hincks and MacNab throughout their careers. Hincks had a soft spot for MacNab as early as 1840, and despite their political differences, they were friends, enjoying a common interest, both general and specific, in railroad matters. By 1854, MacNab had moderated his views considerably, advocated a secularization settlement after years of opposition, and had no major difference with Hincks on other questions. Even if, as biographers of MacNab point out, he had no real power and was little more than a figurehead, he was someone Hincks did not mind trusting to maintain the Union in a business-minded, progressive way, and to keep the tie with the mother country strong. The same argument can be made of Hincks and John A. Macdonald. Both believed strongly in provincial development and both had various business experiences that gave them an interest in the economic health of Canada. Macdonald, "Old Tomorrow", could be counted on not to alter Hincks' political system of avoiding divisive questions and concentrating on economic development. Hincks probably also recognized Macdonald's political shrewdness and flexibility in coming to a workable arrangement in September 1854.

Hincks undoubtedly guided the actual negotiations, and though he denied influencing Elgin's decision to ask MacNab to form a government, he was not worried about such an attempt. He, too, was working to put together a liberal-conservative coalition, albeit one with John Wilson and the Hincksites as the dominant partners. Nevertheless, after MacNab approached Morin, the latter sought Hincks' advice and approval, as did MacNab while the negotiations progressed. Hincks' stipulation of Ross and Spence secured his goal, and the coalition was thus dominated by his former colleagues, who, united with MacNab's Conservatives, pledged to carry out the policies of the Hincks administration as enunciated in the throne speech a few days before. Everyone involved was satisfied with the outcome, though the Conservatives were quite vulnerable and sought to distance themselves from Hincks, as well as build up their own support. Yet Hincks' influence was very useful in the House throughout the first session after the coalition. Hincks must therefore be given much more credit for creating the Liberal-Conservative dynasty which dominated Canadian politics long after his temporary departure in the 1850s and 1860s, and indeed, long after his death in 1885. If Baldwin's legacy was responsible government, Hincks was responsible for putting that principle to practical use, and harnessing interest to political and economic development.

[1] A.R.M. Lower, *Colony to Nation: A History of Canada* (Toronto, 1977), 291.

[2] Bruce Walton, "Worth Having at Almost Any Cost: Laurentianism and British Capital in Canadian Railway Policy, 1848-62", Ph.D., Carleton, 1984, 102-3.

[3] *Ibid.*, 30.

[4] Errors can be found in R.S. Longley, *Sir Francis Hincks* (Toronto, 1943), 305-7; William Ormsby, "Sir Francis Hincks", in J.M.S. Careless, ed., *The Pre-Confederation Premiers* (Toronto, 1980), 183; and Donald Beer, *Sir Allan Napier MacNab* (Hamilton, 1984), 333.

[5] Careless, *The Union of the Canadas* (Toronto, 1967), 193; see also *Brown of the Globe* (Toronto, 1959), 1: 189-95.

[6] *Debates*, 1852-3, 1: 138-9.

[7] NAC, *Rolph Papers*, McDougall to Rolph, 12 December 1852, 203.

[8] AO, *Clarke Papers*, McDougall to Clarke, 2 February 1853.

[9] NAC, *Mackenzie Papers*, 1: 58, Mackenzie to Ames, 23 January 1854. This may also suggest Hincks' support on corruption issues.

[10] *Globe*, 26 January 1854, 2.

[11] *Ibid.*, 2 February 1854, 2.

[12] NAC, *Rolph Papers*, 212, Aikins to Rolph, 14 February 1854.

[13] *Globe*, 13 February 1854, 2.

[14] NAC, *J.S. Macdonald Papers*, 584-5., McIntyre to Macdonald, 22 April 1853.

[15] AO, *A.N. Buell Papers*, Cameron to Buell, 13 June 1854, 2, 5-7.

[16] See *Leader*, 19 June 1854, in *Debates*, 1854-55, 1: 7. The hall been fixed up after fire had destroyed two buildings that were to have served as temporary Parliaments.

[17] *Debates*, 1854-55, 1: 33-7.

[18] AO, *Buell Papers*, Cameron to Buell, 21 June 1854.

[19] *Debates*, 1854-5, 1: 108, note 53.

[20] *Ibid.*, 105.

[21] AO, *Buell Papers*, Cameron to Buell, 21 June 1854.

[22] *Globe*, 22 June 1854.

[23] D.G. Creighton, *John A. Macdonald: The Young Politician* (Toronto, 1974), 202.

[24] AO, Clarke Papers, Thomson to Clarke, 28 June 1854, 1-2.

[25] Globe, 29 June 1854.

[26] Beer, MacNab, 327.

[27] AO, Buell Papers, Cameron to Buell, 23 June 1854, 3. See the St. Thomas Weekly Dispatch, 29 June 1854, 1-2.

[28] Northern Advance, 28 June 1854, 2.

[29] Globe, 6 July 1854, 2.

[30] Ibid., 13 July 1854.

[31] Ibid., 2.

[32] NAC, Brown Papers, 193, McWhinnie to Brown, 28 June 1854, 193-4; AO, Clarke Papers, McDougall to Clarke, 14 July 1854, from Berlin; and AO, W.L. Mackenzie Correspondence, 9543, McDougall to Mackenzie, 12 July 1854, from Woodstock.

[33] AO, W.L. Mackenzie Correspondence, 9559, Mackenzie to Carroll, 31 July 1854, from Cayuga.

[34] AO, Buell Papers, copy of letter A.N. Buell to J.F. Davis, 13 July 1854, 3; Cameron to Buell, 14 July 1854, 1-2.

[35] AO, Clarke Papers, Christie to Clarke, 18 December 1854, 2-3. Capron was known as "King" Hiram of Paris. See DCB, 9: 789.

[36] AO, W.L. Mackenzie Correspondence, 9658-61, Christie to Mackenzie, 1 November 1854.

[37] Ibid., 31 July 1854.

[38] For some confusion on who was going to run for the ministry in Renfrew, see NAC, Hill Collection, 20: 5126, Robert Bell to Daniel McLachlin, 28 July 1854.

[39] AO, Buell Papers, Cameron to Buell, 1 August 1854.

[40] Globe, 3 August 1854.

[41] St. Thomas Weekly Dispatch, 10 August 1854, 3, "The Reformed Parliament", from the Leader.

[42] Northern Advance, 16 August 1854.

[43] Five were lawyers (Chabot, Chauveau, D. Ross, J. Smith and Turcotte), seven were lawyers who had other business interests (Cartier, Drummond, Lemieux, Morin, J. Morrison, Sanborn and Terrill), seven were merchants or other businessmen (Chapais, Egan, Fournier, Galt, Mongenais, Patrick and Wright), four were doctors (Fortier, Poulin, Rolph and J.C. Taché), and one was a farmer (Delong).

[44] Fourteen were merchants or other businessmen (Biggar, Daly, Dionne, Gill, Gould, Huot, Jackson, Meagher, Niles, Pouliot, Rankin, D. Roblin, Spence, and Thibaudeau), seven were doctors (Blanchet, Church, Cook, Desaulniers, Frazer, Masson, and Southwick), five were lawyers with business interests (Alleyn, Bellingham, Foley, A. Morrison, and S. Smith), five were minor civil servants (Brodeur, Labelle, Laporte, Matheson, and Whitney), four were farmers (Daoust, Munro, Rhodes, and J. Ross), three were lawyers with no apparent business interests (Felton, Freeman, and Loranger) and one unaccounted for (Fortier).

[45] They were Bowes (Toronto dry goods), Burton (Port Hope miller and distiller), J.H. Cameron (Toronto lawyer), Clarke (Guelph doctor), Crawford (Brockville businessman), Crysler (Winchester mill owner), Macbeth (inherited Colonel Talbot's estates), McCann (Crown Lands agent), Powell (Bytown print shop owner), Yielding (Bytown leather and provision merchant), Ferres (Montreal journalist), and Somerville (Huntingdon mill owner and tanner).

[46] St. Thomas *Weekly Dispatch*, 10 August 1854, 3.

[47] *Ibid.*; see also *Northern Advance*, 16 August 1854.

[48] MTCL, *Shenston Papers*, Hincks to Shenston, 24 August 1854.

[49] Beer, *MacNab*, 330.

[50] O.D. Skelton, *The Life and Times of Sir Alexander Tilloch Galt* (Toronto, 1920), 187.

[51] NAC, *Galt Papers*, Holton to Galt, 14 August 1854, 2371-2, 2373.

[52] Skelton, *Galt*, 188.

[53] *Ibid.*, 188-9.

[54] *Ibid.*, 190.

[55] *Ibid.*, Galt to Hincks, 6 September 1854, reference to an earlier letter.

[56] NAC, *Buchanan Papers*, 39209-10, Morrison to Buchanan, 15 August 1854.

[57] AO, *Buell Papers*, Cameron to Buell, 1 August 1854, 2-3.

[58] MTCL, *Shenston Papers*, Hincks to Shenston, 16 August 1854, 1-3.

[59] *Ibid.*, 4.

[60] *Ibid.*, 4-6.

[61] NAC, *Mackenzie Papers*, Mackenzie to James Mackenzie, 2 September 1854.

[62] AO, *Clarke Papers*, Thomson to Clarke, 26 August 1854, 2-3.

[63] *Pilot*, 1 September 1854, 2.

[64] *Ibid.*, 4 September 1854, letter of 2 September 1854.

[65] Debates, 1854-5, 1: 5th Parliament, 3.

[66] Pilot, 7 September 1854, letter of 6 September.

[67] Debates, 1854-5, 1: 8, note 38.

[68] Pilot, 7 September 1854, letter of September 6.

[69] Billa Flint, Arthur Rankin, John LeBoutillier, T.M. Daly and Dr. L.H. Masson; the sixth was was Conservative George Crawford.

[70] Hincks, Reminiscences, 318.

[71] Debates, 1854-5, 1: 6.

[72] Ibid., 11-13.

[73] Ibid., 18, 20, 33.

[74] NAC, Elgin Papers, Hincks to Elgin, Thursday night.

[75] Hincks, Reminiscences, 333, letter to the Liberal electors of South Oxford, 13 September 1854.

[76] Skelton, Galt, 190-1.

[77] Ibid.

[78] Hincks, Reminiscences, 333.

[79] Ibid., 319; see also Debates, 1854-5, 1: 60.

[80] Debates, 1854-55, 1: 13, Hincks' words on 6 September 1854.

[81] Hincks, Reminiscences, 336.

[82] Ibid., 319.

[83] Debates, 1854-55, 1: 49, 51-2.

[84] Clarke was called an out and out Hincksite by G.B. Thomson. AO, Clarke Papers, Thomson to Charles Clarke, 26 August 1854.

[85] Beer, MacNab, 332.

[86] Debates, 1854-5, 1: 61.

[87] Ibid.

[88] Hincks, Reminiscences, 336.

[89] Debates, 1854-5, 1: 58.

[90] Ibid., 61.

[91] Beer, *MacNab*, 337.

[92] Creighton, *John A. Macdonald: The Young Politician*, 207.

[93] Hincks, *Reminiscences*, 338.

[94] *Ibid.*, 340, Wilson to Hincks, 14 September 1854.

[95] *Ibid.*, 338.

[96] *Pilot*, 11 September 1854, telegraphic communication from Quebec, 2:30 p.m.

[97] *Debates*, 1854-5, 1: 62.

[98] NAC, *Buchanan Papers*, 38282, telegraph from Merritt to Buchanan, 9 September 1854; 38283, 15 September 1854.

[99] *Ibid.*, 18032, Christie to Buchanan, 11 September 1854.

[100] *Ibid.*, 25825, copy, Hincks to Buchanan, 15 September 1854.

[101] *Debates*, 1854-5, 2: 533, Baldwin to Hincks, 22 September 1854.

[102] NAC, *Buchanan Papers*, 39212, Morrison to Buchanan, 7 October 1854.

[103] *Ibid.*, 39096-7, Morris to Buchanan, 20 March 1855.

[104] *Ibid.*, P. Buchanan to R.W. Harris, 3 November 1854.

[105] *Globe*, 19 September 1854.

[106] *Ibid.*; see also editorials of 23, 26 September, 2, 3 October.

[107] *Ibid.*, 26 September 1854, 2.

[108] *Debates*, 1854-5, 2: 510.

[109] *Globe*, 2 October 1854, 2; see also AO, *Clarke Papers*, Thomson to Clarke, 9 October 1854; and St. Thomas *Weekly Dispatch*, 5 October 1854, 2.

[110] *Debates*, 1854-5, 2: 495.

[111] *Journals*, 1854-5, Appendix A.A.A.A., Report, 5-24 (18 meetings, 3 adjourned for want of a quorum); and 25-184 (35 meetings, almost daily, including Saturdays).

[112] AO, *Buell Papers*, Cameron to Buell, 30 October 1854.

[113] AO, *Hodgins Papers*, Hincks to Ryerson, 10 October 1854, 1-2.

[114] *Debates*, 1854-5, 2: 847. The petition was in the name of Charles Berczy and others, owners and lessees in Toronto.

[115] AO, *Buell Papers*, Cameron to Buell, 30 October 1854, 1-2.

[116] Ibid., 3.

[117] Ibid., Buell to Hincks & Ross, 2 May 1855, draft letters.

[118] Northern Advance, 13 September 1854, 2.

[119] St. Thomas Weekly Dispatch, 4 January 1855, 2.

[120] J.K. Johnson, ed., Letters of Sir John A. Macdonald, 1836-57, 227, Macdonald to Smith, 27 January 1855.

[121] Ibid., 233, Macdonald to Chamberlin, 2 February 1855.

[122] NAC, Elgin Papers, Hincks to Elgin, 6 February 1855, 2, 9-11.

[123] Johnson, ed., Macdonald Letters, 235, Macdonald to Chamberlin, 2 February 1855.

[124] G.E. Boyce, Hutton of Hastings (Belleville, 1972), 196, Hutton to sister Mary, 9 March 1855; 198, Hutton to mother, 25 May 1855; Pilot, 1 June 1855.

[125] Globe, 31 October 1855.

[126] Niagara Mail, 7 November 1855, 3.

Chapter X

CONCLUSION

This thesis has re-examined the career of Francis Hincks and has taken a position that argues for his rehabilitation in Canadian history, not so much in terms of moral judgement but rather in terms of centrality. Though the study was undertaken partly as a reaction to interpretations of the roles of Robert Baldwin, Louis LaFontaine, and John A. Macdonald, it is not a "great man" thesis in the traditional sense. For one thing, it has argued throughout that Hincks can only be understood in terms of the politics of interest and that those policies rest ultimately on Hincks' selfishness in the literal sense that he always put himself first. He was not a great idealist (though he did have ideals) and he was certainly not a man out to martyr himself for the cause. None of these facts, however, change the basic and very important point that Hincks, the easy-going pragmatist and compromiser, tended to get his way, and in so doing contributed considerably to the evolution of the modern Canadian political system.

Consider then the virtues of a man not known for his his virtues. His Irish background, together with his sense of family, were quite important, and help explain his willingness to accept a cooperative coexistence with the French Canadians. His Unitarianism made him appreciate liberalism and what might be called "unity in diversity." His fortuitous connection with Baldwin was made possible by their common Irish past, and it exposed him to moderate constitutional thought in the increasingly radical atmosphere of York in the 1830s. Hincks quickly realized the value and necessity of responsible government- it was the best possible solution to the province's constitutional difficulties given the options of the day. With absolutely no background in journalism, Hincks was able to switch from a mercantile and banking career to become editor of the first Reform paper to start up after the rebellion- that in itself was an act of political courage. He played a large part in making the idea of responsible government understandable and popular for Upper Canadians. Hincks was astute enough to recognize how Durham's proposed union, along with the practical achievement of a responsible executive, could be used to benefit the Reform party and the enlarged province.

One of the constants in a long political career was Hincks' realization that Upper Canadians had to get along with Lower Canadians, economically and politically, if both wanted to prosper. He took the first step in 1839 by opening up a correspondence with LaFontaine, and convincing him, along with the rest of the French Canadian Reformers, that a united party could control the assembly and press for the introduction of responsible government, as well as for economic development. His appeal to their interests- mainly political but also cultural and economic- was a crucial element in the creation of the Baldwin-LaFontaine alliance, and, indeed, the Anglo-French coexistence that lies at the heart of Canadian politics and society.

Hincks' expediency might have been his undoing if he had not been so capable, intelligent and hard-working. He was a party man, but he did not put party before everything- he put himself first, always. Another guiding principle was opportunism: it made itself evident after the Reformers failed to secure Baldwin's idea of responsible government, and when French Canadians were denied entry into the council in June 1841. Sydenham outsmarted them politically, and Hincks was well aware of that. But rather than retreat into the shell of principle, Hincks believed that in politics, opportunities should be taken when they present themselves. Sydenham's administrative reforms and economic policies appealed to

Hincks- they were progressive, they were fairly liberal, and they benefitted the province. His temporary separation from the Reformers may have caused them some chagrin, but both Sydenham and Bagot were impressed with his talents and glad to avail themselves of his service. They believed, as did Elgin later on, that Hincks was one of the most capable men in the province, whatever he chose to do. When LaFontaine and Baldwin came into the council in September 1842, it seemed as though the Reform dream had finally been realized. It was time to consolidate their achievement by building the party through patronage and progressive policies, but despite Hincks' cautions about being too one-sided in recommending appointments, Metcalfe and his council pushed matters until the latter was forced to resign. Interest had been tempered with practicality, but responsible government required British cooperation.

Again, Hincks sought to consolidate, going to Montreal, becoming the English voice of Reform in the capital, and making sure that the French Canadian block was not broken by the appeals of Draper and Sullivan. He also became an active participant in the economic life of the province, involving himself in banking, mining speculation, and the promotion of transportation and communication developments, so vital in a new and growing country. He was also lucky to capitalize on his speculations so quickly. If his personal fortunes were so successful, that talent could be used to help the province after the Reformers won the election of 1847-48.

With a strong majority in Parliament, and a responsible cabinet, political and economic development could go ahead at full speed. However, the province was in the midst of a post-free trade depression, the previous government had overspent and revenue was deplorably small. Hincks had to straighten out the country's finances, secure loans from England, and deal not only with the aftermath of the famine migration but also the credit-unsettling Rebellion Losses and annexation crises. He was very successful in getting the English capitalists interested in Canada as a sound investment- his railway policies attracted much interest, and that was good for Canada. His only frustrations were now caused by Baldwin and LaFontaine, whose cautious nature did not want to allow unregulated municipal participation in borrowing for railway building and other public works.

Hincks was also intimately involved in governmental and party matters, working out policies beyond his financial sphere- redistribution, education and many other areas of interest- but was again frustrated by a fairly unimaginative and slow-to-react leadership. Hincks did keep pushing Baldwin, trying to get him to see the necessity of broadening the party- keeping the left wing happy and attracting development-minded conservatives- and Baldwin decided to resign after a dispute with Hincks in April 1851, though he was convinced to stay on. But the Upper Canadian leader took the next opportunity to retire, after his Court of Chancery received an adverse vote in June. Baldwin's resignation was shortly followed by that of LaFontaine, and Hincks finally had the chance to form his own government.

The French-English alliance continued to be the mainstay of the administration, and the tamer elements of the Clear Grits were brought into the council. The ministry focused on development questions- on which most could agree- rather than divisive matters like the clergy reserves and seigneurial tenure. Hincks took deliberate steps to settle those issues and he did complete all the groundwork for the eventual solution. He was still trying to appeal to a wider constituency, but in concentrating on provincial development, he seemed to lose sight of the need to deal with other popular concerns- the perception was that he was avoiding a settlement of the problems. Few could fault his economic achievements (at least before he left), and how far the province had progressed under his financial tutelage- even though some, including Hincks himself, thought that railway mania had gone too far. But the Upper Canadian opposition, driven by Brown, argued that French Canada had too much influence, that its population was overrepresented in the Union, that Hincks was their willing tool, and that measures like secularization were delayed unnecessarily. When such a campaign was bolstered by revelations of the speculations of ministers- scandals around every corner- the weight was eventually too much for Hincks to overcome.

The scandals themselves are interesting, and two points can be made. First, Hincks brought the problems on himself: his speculative activities excited comment. However, though attacked by Brown and others for every political and financial sin they could think of, he steadfastly defended himself. He was the object of a very brutal but effective (so far as appearances were concerned) smear campaign- Brown sought to destroy Hincks' political character by turning popular opinion against him- that would either force Hincks to resign, leaving Brown and his followers to take over the party, or bring about his defeat at the hands of the electorate. Neither plan worked for Brown, nor did he have the satisfaction of making any of the numerous charges stick. Hincks, if not completely exonerated, considered himself so and Brown was furious. Despite Brown's vindictive campaign, many stood by Hincks and believed in his right to involve himself in business transactions - only the discontented Reformers and the Rouges campaigned against Hincks' corruption, while his own cabinet colleagues, the ministerialists from Canada East and West, and most Conservatives, did not think it was an issue. Similarly, the majority of the public made it clear that there was little concern when Hincks was returned for two constituencies, and even Mayor John Bowes was elected. Hincks said in 1855 that he "did not know a single instance in which any of my friends lost their election on my account."[1] In fact, little changed after the investigation, other than the realization that ministers had to be a little more careful about getting caught.

Second, Hincks worked in a political system that had considerable "grey area". Various ministers profited from their positions: the legal ministers usually took work on the circuits, or had their own clientele; and until the early 1840s, the receiver general had kept provincial funds in his own bank account. A majority of members had business or professional interests, and most benefitted from their positions. Hincks was not hypocritical or evasive on the question of his personal transactions: he always maintained that he had just as much right to speculate on land or stocks as anyone else; and that he could handle financial transactions for a commission so long as no harm was done to anybody. He did have some notion of conflict of interest- there were some things that he would not have done, for instance accepting reward for political service. And there was certainly no charge that he had ever done anything illegal. Some considered Hincks' standards quite loose, and doubted his ability to separate his private character from his official one, but he saw no difficulty.

There is no doubt that the scandals did have an effect on the cohesiveness of the Reform party. Hincks' position in Parliament did erode between 1851 and 1854, but the reasons are complex and include his frequent absences, the diverse interests of the party and other things. The party did hold its own in the election of 1854, with forty-six more seats to take into account, and Hincks was prepared to react to any eventuality. But there were now too many small groups in opposition, and his appeals for support fell just short. However, because of his stature, and the fact that many of his followers stayed with him in the crisis, he was able to ensure that his policies would be carried out by an even stronger combination than he could put together on his own. This new alliance frustrated both extremes, Brown, the Clear Grits and the Rouges on the left, and the anti-secularizationists on the right, and picked up "the ribbons of the mail coach" exactly where Hincks left them. In any case, by 1854, Hincks had had enough of politics, and was inclined to retire to a more lucrative and less demanding lifestyle. He did not even have to compromise in achieving the coalition- the Conservatives gave up their opposition to secularization of the reserves and abolition of seigneurial tenure, and MacNab was called on to lead the same liberal-conservative alliance that Hincks thought John Wilson could better achieve. However, he was happy with the result and saw the new ministry through its formative days.

The thesis has argued that Hincks has to be examined in a political and economic context. His economic policies cannot be separated from his political views, because they went hand-in-hand. His goals were to maintain the connection with England, to keep secure the union of French and English Canada, and to develop the province so that all might have the "opportunities" to benefit. Railroads had to replace outdated canals in order to modernize transportation, overcome the long winter, and tap the American market, whether exporting, importing, or utilising the St. Lawrence system to capture the western trade. To accomplish this end, businessmen from whatever party had to be attracted to politics, and as we have seen, this aspect of Hincks' policy was successful. The Reciprocity treaty capped his economic career.

The second major reason that Hincks should be seen as important is that the political system he put in place was durable, lasting through the end of the century. John A. Macdonald, credited with forging the Liberal-Conservative coalition by so many historians, had, it is true, been active on the Conservative side for some time. His "ten years' experience in the Assembly had taught him much of tactics and more of men...."[2] But Hincks had been the teacher, and Macdonald learned by example. The two were kindred spirits- very similar in personality, and held almost identical views on business and political matters. Hincks undoubtedly had more financial expertise than Macdonald, and he was more comfortable with politics than Macdonald was at this stage of his career. Hincks was much more experienced and he was more willing to risk, even though the stakes were greater for him. He was also less sensitive than Macdonald to political ethics, assuming that because he could separate his private from his public character, everyone else would behave like gentlemen and take his word that he did nothing wrong. Perhaps these qualities cost Hincks the leadership of the Reform party and the premiership.

As for his later career, it was certainly not hurt by his Canadian experiences. The British government and the Colonial Office regarded him with the highest respect. There were rumours that Lord Elgin helped along his Imperial career as payment for "financial advice", but he had made many political and financial friends in London and elsewhere. It is also important to point out that he did not turn his back on Canada after he left- he did have extensive land and other investments in the country, and followed developments with interest from a distance. When Hincks returned to Canada after being knighted in 1869, Macdonald did not consider it improper to ask him to take the position of Minister of Finance. And even after Hincks resigned in 1873, just before the Pacific scandal, he was involved in controversy as the president of the Consolidated Bank of Canada, and the Ontario-Manitoba boundary dispute. Nevertheless, it cannot be denied that he had a long and distinguished career before succumbing to a smallpox epidemic in Montreal in 1885.

If anything, this thesis has shown that Hincks' importance in the Union period cannot be ignored. His policies and his ideas must be understood in order to understand the political and economic changes that occurred. He appealed to any interest- whether personal, party, class or provincial- in an effort to secure his goals- and his goals were achieved. More specifically, he used interest politics to transform Canada from a narrowly-based, official-dominated colony into a moderate, business-based, developmentally-oriented province. He weathered the political crises of 1854, and came out on top, though out of politics. He left behind a country that was being bound together by railroads, and a political system that, for all its faults, was recognizable to Canadians for generations to come. In any successful career, a certain amount of luck is necessary. He was a hard worker, had excellent financial and good political instincts, and he even enjoyed a modicum of luck. This last point was made in the postscript of a letter from an American newspaper editor, Horace Greeley, to W.L. Mackenzie- one of Hincks' strongest critics. Greeley, writing from New York on 14 August 1855 about why he was an annexationist, referred to Hincks' Atlantic crossing in early June: "I suppose you know Hincks has gone over to be knighted. He won a heap of money gambling on his way over- several thousands of dollars. Some men are born to good luck."[3]

[1] Niagara Mail, 7 November 1855, 2.

[2] O.D. Skelton, The Life and Times of Sir Alexander Tilloch Galt (Toronto, 1920), 193.

[3] AO, W.L. Mackenzie Correspondence, 9662, Greeley to Mackenzie, 14 August 1855.

BIBLIOGRAPHY

Abbreviations

AO - Archives of Ontario
CHAAR - Canadian Historical Association Annual Report
CHAR - Canadian Historical Association Report
CHR - Canadian Historical Review
CJEPS - Canadian Journal of Economics and Political Science
DHB - Dictionary of Hamilton Biography
EHR - English Historical Review
HRW - Holt, Rinehart and Winston
JCS - Journal of Canadian Studies
M & S - McClelland and Stewart
M-QP - McGill-Queen's University Press
MTCL - Metropolitan Toronto Central Library
NAC - National Archives of Canada
OH - Ontario History
OUP - Oxford University Press
PAC - Public Archives of Canada (pre-1988)
UTP - University of Toronto Press

I. PRIMARY SOURCES

A. Unpublished Manuscript Sources

Lennox and Addington County Museum

David Roblin Papers

McCord Museum

G.E. Cartier Papers
Edward Hale Papers
Jacob DeWitt Papers

McGill University Library

John Rose Papers
R.N. Watts Papers

MTCL

Baldwin Papers
James Morris Papers
T.S. Shenston Papers

AO

A.N. Buell Papers
Charles Clarke Papers
Crown Lands Records - Francis Hincks
East Oxford Township, Abstract of Deeds
East Zorra Township, Abstract of Deeds
Hodgins Papers - Hincks-Ryerson Correspondence
Horton Township, Abstract of Deeds
----, Deeds
Irving Papers (F. Hincks, *The Northerly and Westerly Boundaries of Ontario*, 1881.)
W.L. Mackenzie Correspondence
Merritt Papers
A.N. Morin Papers
National Archives of Quebec Collection - Taché Family Papers
Oxford County, Index to Deeds
----, Deeds
Village of Renfrew, Abstract of Deeds
Ross Township, Abstract of Deeds
Strachan Letter Book
David Thorburn Papers
West Oxford Township, Abstract of Deeds
J.T. Williams Papers
City of Woodstock, Abstract of Deeds

NAC

F.J. Audet Papers
Charles Bagot Papers
Baring Papers
George Brown Papers
Buchanan Papers
Canada, *State Papers*, Executive Council Minutes, 1847-54
P.J.O. Chauveau Papers
A. Cuvillier Papers
D. Daly Papers
T.M. Daly Papers
A.M. Delisle Papers
J.C. Dent Papers
Papiers Duvernay
Elgin Papers
A.T. Galt Papers
Glenelg Papers
Glyn, Mills Papers
Hale Family Papers
Hill Collection
Hincks Papers
LaFontaine Papers
Legislative Assembly, Province of Canada, Sessional Records
-----Sessional Indemnity Receipts
-----Vouchers, 1846-66
-----Acts of the Province of Canada, 1852, 1855-7
-----Accounts, 1841-74
-----Sessional Minutes, 1849
J.A. Macdonald Papers

J.S. Macdonald Papers
Alexander Mackenzie Papers
W.L. Mackenzie Papers
A.N. MacNab Papers
D. McLachlin Papers
E.A. Meredith Papers
Merritt Family Papers
Henry Morgan Correspondence
A.N. Morin Papers
William Morris Papers
Neilson Collection
Newcastle Papers
Famille Papineau
F.A. Quesnel Papers
John Radenhurst Papers
Records of the Department of Finance
John Rolph Papers
deSalaberry Papers
L.V. Sicotte Papers
Robert Spence Papers
Taché Papers
Valois Papers
D.B. Viger Papers

Queen's University Archives

John Young Papers

B. Published Sources

Doughty, A.G., ed. *The Elgin-Grey Papers, 1846-1852.* 4 vols. Ottawa: PAC, 1937.

Gibbs/Nish, Elizabeth, ed. *Debates of the Legislative Assembly of United Canada, 1841-55.* 31 parts in 12 vols. Montreal: Centre de Recherche en Histoire Economique et Sociale du Québec, 1970-88.

Johnson, J.K., ed. *The Letters of Sir John A. Macdonald, 1836-1857.* Ottawa: PAC, 1968.

Journals of the Legislative Assembly of United Canada, Appendices, 1848-55.

Report and Proceedings of the Select Committee on Charges Against the Late Administration. Quebec: 1855.

Report of the Canadian Archives, 1923. "Plea of Robert Baldwin for Responsible Government." Ottawa: 1923.

Statutes of Canada (Province), 1848-54.

C. Pamphlets

Hincks, F. Canada: Its Financial Position and Resources. 1849.

-----Documents Relating to the Resignation of the Canadian Ministry in September, 1854. Quebec: 1854.

D. Newspapers

Brantford Courier and Grand River General Advertiser, Brantford.
British American, Woodstock.
Examiner, Toronto.
Gazette, Montreal.
Globe, Toronto.
Herald and Brock District General Advertiser, Woodstock.
Herald, Brantford.
Leader, Toronto.
Mail, Niagara.
Mercury, Renfrew.
La Minèrve, Montreal.
Northern Advance, Barrie.
Pilot, Montreal.
Oxford Star and Woodstock Advertiser, Woodstock.
Spectator and Journal of Commerce, Hamilton.
Weekly Dispatch, St. Thomas.
Weekly Sentinel, Woodstock.

II. SECONDARY SOURCES

A. Reference

Armstrong, J., ed. Rowsell's City of Toronto and County of York Directory, for 1850-1. Toronto: 1850.

Audet, F.J. Pages trifluviennes, series A, 11-13. Trois Rivières: 1934.

-----Les deputés de la région de Trois Rivières. Trois Rivières: 1934.

-----Les deputés de Montréal (ville et comtés), 1792- 1867. Montreal: 1943.

Bibaud, M. Le Pantheon canadien. 1858.

Brown, George. Toronto City and Home District Directory, 1846-7. Toronto: Globe, 1846.

Boase, Frederic. Modern English Biography. Truro: 1921.

Brown, W.R. Toronto General Directory, 1856, 1861. Toronto: 1856, 1861.

The Canadian biographical dictionary and portrait gallery of eminent and self-made men. 2 vols. Toronto: 1880-1.

The Canadian Encyclopedia. 3 vols. Edmonton: Hurtig, 1985; revised ed., 4 vols., 1988.

Coté, Joseph-Olivier, comp. Political appointments and elections in the Province of Canada from 1841 to 1865. 2nd ed. Ottawa: 1866.

Crone, John S. A Concise Dictionary of Irish Biography. London: Longmans, 1928.

David, L.O. Biographies et portraits. 1876.

Dent, John Charles. The Canadian portrait gallery. 4 vols. Toronto: 1880-1.

Desjardins, Joseph. Guide parlementaire historique de la province de Québec, 1792 à 1902. Quebec: 1902.

Dictionary of Canadian Biography. vols. 8-11. Toronto: UTP, 1985, 1976, 1972, 1982.

Gordon, R.S., ed. Union list of manuscripts in Canadian repositories. 2 vols. Ottawa: PAC, 1968; 2 supplements, 1975, 1979.

Hawkins, Alfred, comp. Quebec Directory and city and commercial register, 1847-48. Montreal: 1847.

Johnson, J.K., ed. The Canadian Directory of Parliament, 1867-1967. Ottawa: PAC, 1968.

Laperrière, A. Les Guepes Canadiennes. Ottawa: 1881.

LeJeune, L.M. Dictionnaire général du Canada. 2 vols. Ottawa: 1931.

Lovell, John. Lovell's Canadian dominion directory for 1871. Montreal: 1871.

MacKay, Robert W.S. Montreal Directory. Montreal: 1841-54.

-----Canada Directory, 1851. Montreal: John Lovell, 1851.

-----Quebec Directory, 1848-9, 1850-1, 1852-3. Quebec: 1848, 1850, 1852.

-----Canada Directory, 1857-58. 2 parts. Montreal: John Lovell, 1857.

Mitchell, J.L. Canada Gazetteer and Business Directory, 1864-65. 2 parts. Toronto: W.C. Chewett, 1864.

-----Canada Classified Directory, 1865-6. Toronto: 1865.

Morgan, Henry J. Sketches of celebrated Canadians and persons connected with Canada. Quebec: 1862.

-----Canadian Parliamentary Companion. Quebec: 1862-3; Montreal: 1864.

-----The Dominion annual register and review. 8 vols. Montreal, Ottawa, Toronto: 1879-87.

Notman, William. Portraits of British Americans with biographical sketches by Fennings Taylor. 3 vols. 1865-8.

PAC, Manuscript Division. General Inventory- Manuscripts. vol. 4, 5. MG22-27. Ottawa: PAC, 1972.

Rose, George M., ed. A cyclopedia of Canadian biography, being chiefly men of the time. 2 vols. Toronto: Rose, 1886-8.

Stephen, Sir Leslie and Sir Sidney Lee, eds. Dictionary of National Biography. Oxford: University Press, 1921.

Wallace, W.S. The dictionary of Canadian biography. 2 vols. Toronto: 1945.

-----The Macmillan dictionary of Canadian Biography. 3rd ed. Toronto: Macmillan, 1963.

Walton, George. York commercial directory, 1833-4. Toronto: 1833.

-----City of Toronto Directory, 1837. Toronto: 1837.

Webb, Alfred. A Compendium of Irish Biography, Comprising Sketches of Distinguished Irishmen and of Eminent Persons Connected with Ireland by Office or by Their Writings. New York: Lemma Publishing, 1970.

B. Books

Adam, G. Mercer. Canada's Patriot Statesman: The Life and Career of the Right Honourable Sir John A. Macdonald. Toronto: Rose, 1891.

Acheson, T.W. Saint John: The Making of a Colonial Urban Community. Toronto: UTP, 1985.

Akenson, D.H. The Irish in Ontario: A Study in Rural History. Kingston and Montreal: M-QP, 1984.

-----The Orangeman: The Life and Times of Ogle Gowan. Toronto: Lorimer, 1986

Baldwin, R.M. & J. The Baldwins and the Great Experiment. Toronto: Longmans, 1969.

Baskerville, Peter, ed. The Bank of Upper Canada. Ottawa: Carleton University Press, 1987.

Beer, D.R. Sir Allan Napier MacNab. Hamilton: DHB, 1984.

Berger, Carl, ed. Approaches to Canadian History. Toronto: UTP, 1976.

-----The Writing of Canadian History- Aspects of English-Canadian Historical Writing: 1900 to 1970. Toronto: UTP, 1976.

Bernard, Jean-Paul. Les Rouges; libéralisme, nationalisme et anticlericalisme au milieu de XIXe siècle. Montreal: Les presses de l'Université du Québec, 1971.

Betti, Michael. The Township of Thorold, 1793-1967. Toronto: Armath, 1967.

Birch, A.H. Representative and Responsible Government. Toronto: UTP, 1964.

Bliss, Michael. Northern Enterprise: Five Centuries of Canadian Business. Toronto: M & S, 1987.

Boyce, G.E. Historic Hastings. Belleville: Hastings County Council, 1967.

-----Hutton of Hastings: The Life and Letters of William Hutton, 1801-61. Belleville: Intelligencer, 1972.

Brode, Patrick. Sir John Beverley Robinson: Bone and Sinew of the Compact. Toronto: Osgoode Society-UTP, 1984.

Buckner, P. The Transition to Responsible Government: British Policy in British North America, 1815-1850. Westport, Conn.: Greenwood Press, 1985.

Burnet, Jean. Ethnic Groups in Upper Canada. Toronto: Ontario Historical Society, 1972.

Burroughs, Peter, ed. The Colonial Reformers and Canada, 1830-49. Toronto: M & S, 1969.

Careless, J.M.S. Brown of the Globe. vol. 1: The Voice of Upper Canada, 1818-1859. Toronto: Macmillan, 1959.

-----The Union of the Canadas: The Growth of Canadian Institutions, 1841-1857. Toronto: M & S, 1967.

-----, ed. The Pre-Confederation Premiers: Ontario Government Leaders, 1841-1867. Toronto: UTP, 1980.

-----Toronto to 1918: An Illustrated History. Toronto: Lorimer, 1984.

Chapais, Thomas. Cours d'histoire du Canada. Montreal: Valiquette, 1932.

Clarke, Charles. Sixty Years in Upper Canada. Toronto: Briggs, 1908.

Clarke, Michael, ed. Corruption: Causes, Consequences and Control. London: Frances Pinter, 1983.

Cole, Donald B. Martin Van Buren and the American Political System. Princeton: University Press, 1984.

Coleman, W. Business and Politics: A Study of Collective Action. Kingston and Montreal: M-QP, 1988.

Cornell, Paul G. The Alignment of Political Groups in Canada, 1841-1867. Toronto: UTP, 1962.

Craig, G.M. Upper Canada: The Formative Years, 1784-1841. Toronto: M & S, 1963.

-----,ed. Lord Durham's Report. Toronto: M & S, 1963.

Creighton, D.G. The Empire of the St. Lawrence. Toronto: Macmillan, 1956.

-----John A. Macdonald- The Young Politician. Toronto: Macmillan, 1974.

-----Dominion of the North: A History of Canada. rev. ed. Toronto: Macmillan, 1977.

d'Alton, Ian. Protestant Society and Politics in Cork, 1812-1844. Cork: University Press, 1980.

Dawe, Brian. Old Oxford is Wide Awake: Pioneer Settlers and Politicians in Oxford County, 1793-1853. n.p.: n.p., 1980.

DeCelles, Alfred D. LaFontaine et son temps. Montreal: Beauchemin, 1925.

Dent, John Charles. The last forty years: the union of 1841 to Confederation. Toronto: M & S, 1972.

Douglas, R. Alan, ed. John Prince, 1796-1870: A Collection of Documents. Toronto: UTP, 1980.

Dunham, Aileen. Political Unrest in Upper Canada, 1815-1836. Toronto: M & S, 1963.

Dunlop, William. Tiger Dunlop's Upper Canada. Toronto: M & S, 1967.

Durand, Charles. Reminiscences of Charles Durand of Toronto, Barrister. Toronto: Hunter-Rose, 1897.

Elliott, Bruce. Irish Migrants in the Canadas: A New Approach. Kingston and Montreal: M-QP, 1988.

Errington, Jane. The Lion, the Eagle, and Upper Canada: A Developing Colonial Ideology. Kingston and Montreal: M-QP, 1987.

Finlay, J.L. and D.N. Sprague. The Structure of Canadian History. 2nd ed. Scarborough: Prentice-Hall, 1984.

Firth, Edith G., ed. Profiles of a Province: Studies in the history of Ontario. Toronto: Ontario Historical Society, 1967.

Flaherty, D.H., ed. Essays in the History of Canadian Law. vol. 2. Toronto: UTP, 1983.

Forster, Ben. A Conjunction of Interests: Business, Politics, and Tariffs, 1825-1879. Toronto: UTP, 1986.

Garner, John. The Franchise and Politics in British North America, 1753-1867. Toronto: UTP, 1969.

Gash, Norman. Sir Robert Peel: the Life of Sir Robert Peel after 1830. [London]: Longmans, 1972.

-----Politics in the Age of Peel: A study in the Technique of Parliamentary Representation, 1830-1850. 2nd ed. Hassocks, Sussex: Harvester Press, 1977.

Gates, Lillian. Land Policies in Upper Canada. Toronto: UTP, 1968.

Gérin-Lajoie, A. Dix ans au Canada de 1840 à 1850. Quebec: Demers, 1888.

Glazebrook, G.P. de T. Sir Charles Bagot in Canada. Oxford: OUP, 1929.

Godsell, Patricia, ed. Letters & Diaries of Lady Durham. n.p.: Oberon, 1979.

Graham, W.H. Tiger Dunlop. London: Hutchinson, 1962.

Gwyn, Sandra. The Private Capital: Ambition and Love in the Age of Macdonald and Laurier. Toronto: M & S, 1984.

Hamelin, Jean, ed. Political Ideas of the Prime Ministers. Ottawa: 1969.

Heidenheimer, Arnold J., ed. Political Corruption: Readings in Comparative Analysis. NY: HRW, 1970.

Hennock, E.P. Fit and Proper Persons: Ideal and Reality in Nineteenth Century Urban Government. London: Edward Arnold, 1973.

Hewett, Phillip. Unitarians in Canada. Toronto: Fitzhenry & Whiteside, 1978.

Higgins, W.H. The Life and Times of Joseph Gould. Toronto: Blackett Robinson, 1887.

Hincks, Sir Francis. Reminiscences of His Public Life. Montreal: Drysdale, 1884.

History of the county of Middlesex, Canada.... Toronto:1889.

History of Toronto and York county, Ontario.... 2 vols. Toronto: 1885.

Hodgins, Bruce W. John Sandfield Macdonald, 1812-1872. Toronto: UTP, 1971.

Johnson, J.K., ed. Historical Essays on Upper Canada. Toronto: M & S, 1975.

Jones, R.L. History of Agriculture in Ontario, 1613-1880. Toronto: UTP, 1946; reprint, 1977.

Kammen, Michael. Empire and Interest: The American Colonies and the Politics of Mercantilism. Philadelphia: Lippincott, 1970.

-----, ed. The Past Before Us: Contemporary Historical Writing in the United States. Ithaca: Cornell UP, 1980.

Katz, Michael. The People of Hamilton, Canada West: Family and Class in a Mid-Nineteenth Century City. Cambridge: Harvard UP, 1976.

Kaye, J.W. Life and Correspondence of Charles, Lord Metcalfe. 2 vols. London: 1854.

Keefer, Samuel. *The Philosophy of Railroads and Other Essays.* intro. by H.V. Nelles. Toronto: UTP, 1972.

Kerr, Donal A. *Peel, Priests and Politics: Sir Robert Peel's Administration and the Roman Catholic Church in Ireland, 1841-1846.* Oxford: Clarendon Press, 1982.

Kennedy, W.P.M. *Lord Elgin.* Toronto: OUP, 1929.

Kingsford, William. *The History of Canada.* vol. 10. Toronto: Rowsell and Hutchinson, 1898.

Klinck, Carl F., ed. *William "Tiger" Dunlop: Blackwoodian Backwoodsman.* Toronto: Ryerson, 1958.

-----, ed. *The Literary History of Canada.* 3 vols. Toronto: UTP, 1965.

Langstone, Rose W. *Responsible Government in Canada.* London: Dent, 1931.

Lauriston, Victor E. *Lambton County's Hundred Years, 1849-1949.* Sarnia: 1949.

Leacock, Stephen. *Mackenzie, Baldwin, LaFontaine, Hincks.* Toronto: OUP, 1926.

Lindsey, Charles. *The life and times of William Lyon Mackenzie and the Rebellion of 1837-38.* Toronto: Coles, 1972.

Longley, Ronald S. *Sir Francis Hincks: A Study of Canadian Politics, Railways, and Finance in the Nineteenth Century.* Toronto: UTP, 1943.

Lower, Arthur. *Colony to Nation: A History of Canada.* 5th ed. Toronto: M & S, 1977.

MacKay, W.A. *Pioneer Life in Zorra.* Toronto: Briggs, 1899.

Mackenzie, Alexander. *The Life and Speeches of Hon. George Brown.* Toronto: Globe, 1882.

MacPherson, G.R.I. *Matters of Loyalty: The Buells of Brockville 1830-1850.*: Belleville: Mika Publishing, 1981.

Martin, Chester. *Empire and Commonwealth: Studies in Governance and Self-Government in Canada.* Oxford: Clarendon Press, 1929.

Masters, Donald C. *The Reciprocity Treaty of 1854.* Toronto: M & S, 1963.

McCalla, Douglas. *The Upper Canada Trade, 1834-1872: A Study of the Buchanans' Business.* Toronto: UTP, 1979.

McIntosh, D. *The Collectors: A History of Canadian Customs and Excise.* Toronto: NC Press, 1984.

Merritt, J.P. *Biography of the Honourable W.H. Merritt.* St. Catharines: 1875.

Mills, David. *The Idea of Loyalty in Upper Canada, 1784-1850.* Kingston and Montreal: M-QP, 1988.

Moir, J.S. Church and State in Canada West. Toronto: UTP, 1959.

-----, ed. Character and Circumstance: Essays in Honour of Donald Grant Creighton. Toronto: Macmillan, 1970.

Monet, Jacques. The Last Cannon Shot: A Study of French-Canadian Nationalism, 1837-1850. Toronto: UTP, 1969.

Morris, J.A. Prescott, 1810-1967. Prescott: 1967.

Morris, R.J. Class and Class Consciousness in the Industrial Revolution 1780-1850. London: Macmillan, 1979.

Morton, Desmond. A Short History of Canada. Edmonton: Hurtig, 1983.

Morton, W.L. The Kingdom of Canada: A General History from Earliest Times. Toronto: M & S, 1963.

Myers, Gustavus. A History of Canadian Wealth. Toronto: Lorimer, 1975.

Myers, Jay. The Great Canadian Road: a history of Yonge Street. Toronto: Red Rock, 1977.

Naylor, R.T. Canada in the European Age, 1453-1919. Vancouver: New Star Books, 1987.

Neale, R.S., ed. Class and the Industrial Revolution. London: Routledge and Kegan Paul, 1972.

-----, ed. Class in English History. Oxford: Blackwell, 1981.

-----, ed. History and Class: Essential Readings in Theory and Interpretation. Oxford: Blackwell, 1983.

Nelles, H.V. The Politics of Development: Forests, Mines and Hydro-Electric Power in Ontario, 1849-1941. Toronto: Macmillan, 1974.

Nish, Elizabeth, ed. Racism or Responsible Government: The French Canadian Dilemma of the 1840s. Toronto: Copp Clark, 1967.

Ormsby, William G. The Emergence of the Federal Concept in Canada, 1839-1845. Toronto: UTP, 1969.

Ouellet, Fernand. Economic and Social History of Quebec, 1760-1850. Toronto: Macmillan, 1980.

-----Lower Canada, 1791-1840: Social Change and Nationalism. Toronto: M & S, 1980.

Owram, Douglas R. Building for Canadians: A History of the Department of Public Works, 1840-1960. Ottawa: Public Works, 1979.

Perkin, H. The Origins of Modern English Society, 1780-1880. London: Routledge and Kegan Paul, 1969.

Prentice, Alison. The School Promoters: Education and Social Class in Mid-Nineteenth Century Upper Canada. Toronto: M & S, 1977.

Price, Mrs. C. and C.C. Kennedy, comps. Notes on the history of Renfrew County. Renfrew: 1961.

Remini, Robert V. Martin Van Buren and the Making of the Democratic Party. New York: Columbia University Press, 1959.

Riordon, W.L. Plunkitt of Tammany Hall. New York: Dutton, 1963.

Romney, Paul. Mr. Attorney: The Attorney General for Ontario in Court, Cabinet, and Legislature 1791-1899. Toronto: Osgoode Society-UTP, 1986.

Russell, V.L., ed. Forging a Consensus: Historical Essays on Toronto. Toronto: UTP, 1984.

Ryerson, Stanley B. Unequal Union: Confederation and the Roots of Conflict in the Canadas, 1815-1873. Toronto: Progress, 1975.

Scrope, G.P. Memoir of the Life of the Right Honourable Charles, Lord Sydenham. London: 1844.

Shortt, Adam. Lord Sydenham. Toronto: OUP, 1927.

Simpson, Jeffrey. Spoils of Power: The Politics of Patronage. Toronto: Collins, 1988.

Skelton, O.D. The Railway Builders: A Chronicle of Overland Highways. Toronto: Glasgow, Brook, 1916.

-----The Life and Times of Sir Alexander Tilloch Galt. Toronto: 1920.

Smallfield, W.E. and Rev. R. Campbell. The Story of Renfrew. vol. 1. Renfrew: Smallfield and Son, 1919.

Smith, Culver H. The Press, Politics, and Patronage: The American Government's Use of Newspapers, 1789-1875. Athens: University of Georgia Press, 1977.

Stevens, G.R. Canadian National Railways: Sixty years of trial and error. Toronto: Clarke Irwin, 1960.

-----History of the Canadian National Railways. New York: Macmillan, 1973.

Stewart, Gordon. The Origins of Canadian Politics: A Comparative Approach. Vancouver: UBC Press, 1986.

Sweeney, Alistair. George-Etienne Cartier: A Biography. Toronto: M & S, 1976.

Teeple, G., ed. Capitalism and the national question in Canada. Toronto: UTP, 1972.

Terrill, F.W. A Chronology of Montreal and of Canada from A.D. 1752 to A.D. 1893. Montreal: 1893.

Thompson, E.P. The Making of the English Working Class. New York: 1963.

Thompson, Samuel. Reminiscences of a Canadian Pioneer. Toronto: Hunter-Rose, 1884.

Traves, Tom, ed. Essays in Canadian Business History. Toronto: M & S, 1984.

Trout, J.M. and Edward. The Railways of Canada for 1870-1. Toronto: Coles reprint, 1974.

Tucker, G.N. The Canadian Commercial Revolution, 1845-51. Toronto: M & S, 1964.

Tulchinsky, G.J.J., ed. To Preserve & Defend: Essays on Kingston in the Nineteenth Century. Kingston and Montreal: M-QP, 1976.

-----The River Barons: Montreal businessmen and the growth of industry and transportation, 1837-53. Toronto: UTP, 1977.

Turcotte, L.-P. Le Canada sous l'union, 1841-67. Quebec: Le Canadien, 1871.

Wade, Mason. The French Canadians. vol. 1- 1760-1911. Toronto: Macmillan, 1968.

Ward, John M. Colonial Self-Government: The British Experience 1759-1856. Toronto: UTP, 1976.

Wild, Roland. MacNab- The Last Laird. New York: 1938.

Williams, Art and Edward Baker. Bits & Pieces- A Montage of Woodstock, Ontario in Text and Pictures. Woodstock: 1967.

Wilson, Bruce G. The Enterprises of Robert Hamilton: A Study of Wealth and Influence in Early Upper Canada, 1776-1812. Ottawa: Carleton University Press, 1983.

Wilson, G.E. The Life of Robert Baldwin: A Study in the Struggle for Responsible Government. Toronto: Ryerson, 1933.

Wrong, E.M. Charles Buller and Responsible Government. Oxford: Clarendon Press, 1926.

Young, Brian J. Promoters and Politicians: The North-Shore Railways in the History of Quebec, 1854-85. Toronto: UTP, 1978.

-----George-Etienne Cartier: Montreal Bourgeois. Kingston and Montreal: M-QP, 1981.

-----In its Corporate Capacity: The Seminary of Montreal as a Business Institution, 1816-1876. Kingston and Montreal: M-QP, 1986.

C. Theses

Baskerville, Peter A. "The Boardroom and Beyond- Aspects of the Upper Canadian Railroad Community." Ph.D., Queen's, 1973.

Burchill, Charles S. "The evolution of the Cabinet from the Executive Council, with special reference to Upper Canada." M.A., Queen's, 1930.

Guest, Henry H. "Baldwin of Spadina: The Life of William Warren Baldwin, Central Figure in the Movement for Responsible Government in Upper Canada." M.A., Manitoba, 1961.

Jensen, Vincent J. "Lafontaine and the Canadian Union." M.A., Toronto, 1942.

Metcalf, George. "The Political Career of William Henry Draper, 1836-1847." M.A., Toronto, 1959.

Mills, David C.L. "The Concept of Loyalty in Upper Canada, 1815-1850." Ph.D., Carleton, 1982.

Muckle, Alice M. "Sir Francis Hincks and Political Reform in Canada, 1838-48." M.A., Toronto, 1931.

Swainson, Donald W. "The personnel of politics; a study of the Ontario members of the second federal parliament." Ph.D., Toronto, 1968.

Tulchinsky, Gerald J.J. "Studies of businessmen in the development of transportation and industry in Montreal, 1837-1853." Ph.D., Toronto, 1971.

Walton, J. Bruce. "Worth Having at Almost Any Cost: Laurentianism and British Capital in Canadian Railway Policy, 1848-62." Ph.D., Carleton, 1984.

D. Articles

Abella, Irving M. "The 'Sydenham Election' of 1841." CHR, 47, 4 (December 1966), 326-43.

Acheson, T.W. "The Nature and Structure of York Commerce in the 1820s." CHR, 50, 4 (December 1969), 406-28.

Baskerville, P.A. "Professional vs. Proprietor: Power Distribution in the Railroad World of Upper Canada/Ontario, 1850 to 1881." CHA Historical Papers, 1978, 47-63.

-----"Entrepreneurship and the Family Compact: York-Toronto, 1822-55." Urban History Review, 9, 3 (February 1981), 15-34.

Beer, D.R. "Sir Allan MacNab and the Adjutant Generalship of Militia, 1846-1847." OH, 61, 1 (March 1969), 19-32.

-----"W.H. Draper and the Formation of the Conservative Party." CHR, 54, 2 (June 1973), 230.

Bogue, A.G. "The New Political History in the 1970s", in M. Kammen, ed. *The Past Before Us.* Ithaca: Cornell UP, 1980, 231-51.

Brebner, J.B. "Patronage and Parliamentary Government." *CHAR*, 1938, 22-30.

Brooks, Robert C. "The Nature of Political Corruption", in A.J. Heidenheimer, ed. *Political Corruption: Readings in Comparative Analysis.* NY: HRW, 1970, 56-61.

-----"Apologies for Political Corruption", in A.J. Heidenheimer, ed. *Political Corruption.* NY: HRW, 1970, 501-9.

Careless, J.M.S. "The Political Ideas of George Brown." *Canadian Forum*, 1957.

Cooper, J.I. "George Etienne Cartier in the period of the 'Forties'." *CHAAR*, 1938.

-----"The Political Ideas of George Etienne Cartier." *CHR*, 23, 3 (September 1942).

-----"Some early Canadian savings banks." *Canadian Banker*, 1950.

-----"The social structure of Montreal in the 1850s." *CHAR*, 1956, 63-73.

Creighton, D.G. "Sir John Macdonald and Canadian Historians", in C. Berger, ed. *Approaches to Canadian History.* Toronto: UTP, 1976, 50-62.

Cross, M.S. "The Stormy History of the York Roads, 1833-65." *OH*, 54, 1 (March 1962).

-----"The First Victim: The Canadian Economic Revolution and the Fall of Robert Baldwin, 1851." unpublished paper, 1-27.

----- and R.L. Fraser. "'The waste that lies before me': the Public and the Private Worlds of Robert Baldwin." *CHA Historical Papers*, 1983, 164-83.

Dewar, K.C. "Charles Clarke and the Clear Grits: Early Victorian Radicalism in Upper Canada." unpublished CHA paper, 1983.

Ershkowitz, Herbert and W.G. Shade. "Consensus or Conflict? Political Behavior in the State Legislatures during the Jacksonian Era." *Journal of American History*, 58, 1971-2, 591-621.

Finer, Samuel E. "Patronage and the Public Service: Jeffersonian Bureaucracy and the British Tradition", in A.J. Heidenheimer, ed. *Political Corruption.* NY: HRW, 1970, 106-25.

Harvey, D.C. "The Civil List and Responsible Government in Nova Scotia." *CHR*, 28, 4 (December 1947), 365-82.

Hinchley, Harry. "The history of politician Hon Francis Hincks." Renfrew *Mercury*, 30 June 1981.

Huntingdon, Samuel P. "Modernization and Corruption", in A.J. Heidenheimer, ed. *Political Corruption.* NY: HRW, 1970, 492-500.

Ireland, John. "John H. Dunn and the Bankers." OH, 52, 1970, 83-100.

Jackson, Eric. "The Organization of Upper Canadian Reformers, 1818-1867", in J.K. Johnson, ed. Historical Essays on Upper Canada. Toronto: M & S, 1975, 96-121.

Jensen, V. "Lafontaine and the Canadian Union." CHR, 25, 1 (March 1944), 6-19.

-----"Lafontaine and 1848 in Canada." CHAAR, 1948.

Johnson, J.K. "John A. Macdonald, The Young Non-Politician." CHAR, 1971, 138-53.

-----"John A. Macdonald and the Kingston Business Community, 1842-1867", in G. Tulchinsky, ed. To Preserve and Defend: Essays on Kingston in the Nineteenth Century. Kingston and Montreal: M-QP, 1976, 141-55.

-----"The U.C. Club and The Upper Canadian Elite, 1837-1840." OH, 69, 3 (September 1977), 151-68.

-----"'One Bold Operator': Samuel Zimmerman, Niagara Entrepreneur, 1843-1857." OH, 74, 1 (March 1982), 26-44.

Jones, R.L. "The Canadian Agricultural Tariff of 1843." CJEPS, 7, 1941, 528-37.

Kammen, Michael. "The Historian's Vocation and the State of the Discipline in the United States", in M. Kammen, ed. The Past Before Us. Ithaca: Cornell UP, 1980, 19-46.

Kealey, G.S. "Orangemen and the Corporation: The politics of class during the Union of the Canadas", in V.L. Russell, ed. Forging a Consensus: Historical Essays on Toronto. Toronto: UTP, 1984, 41-86.

Longley, R.S. "Francis Hincks and Canadian Public Finance." CHAR, 1934, 30-9.

MacDermot, T.W.L. "The Political Ideas of John A. Macdonald." CHR, 14, 3 (September 1933), 247-64.

McCalla, D. "The Canadian Grain Trade in the 1840's-The Buchanans' Case." CHA Historical Papers, 1974, 95-114.

McLean, Simon J. "The Railway Policy of Canada, 1849-67." Journal of Political Economy, 1901.

McRae, K.D. "An Upper Canada Letter of 1829 on Responsible Government." CHR, 31, 3 (September 1950), 288-96.

Metcalf, George. "Draper Conservatism and Responsible Government in the Canadas, 1836-1847." CHR, 42, 4 (December 1961), 300-24.

Monet, Jacques. "French Canada and the Annexation Crisis, 1848-1850." CHR, 47, 3 (September 1966), 249-64.

Morton, W.L. "The Local Executive in the British Empire, 1763-1828." EHR (July 1963), 436-57.

Noel, S.J.R. "Dividing the Spoils: The Old and New Rules of Patronage in Canadian Politics." JCS, 22, 2 (Summer, 1987), 72-95.

Ormsby, W.G. "Sir Charles Metcalfe and the Canadian Union." CHAAR, 1961, 35-46.

-----"Sir Francis Hincks", in J.M.S. Careless, ed. The Pre-Confederation Premiers: Ontario Government Leaders, 1841-1867. Toronto: UTP, 1980, 148-96.

Patterson, Graeme. "Whiggery, Nationality, and the Upper Canadian Reform Tradition." CHR, 56, 1 (March 1975), 25-44.

-----"An enduring Canadian myth: Responsible Government and the Family Compact." JCS, 12, 2 (Spring 1977), 3-16.

Piva, Michael J. "Continuity and Crisis: Francis Hincks and Canadian Economic Policy." CHR, 64, 2 (June 1985), 185-210.

Risk, R.C.B. "The Law and the Economy in Mid-Nineteenth-Century Ontario: A Perspective", in D.H. Flaherty, ed. Essays in the History of Canadian Law. vol. 2. Toronto: UTP, 1983, 88-142.

Romney, Paul. "'The Ten Thousand Pound Job': Political Corruption, Equitable Jurisdiction, and the Public Interest in Upper Canada 1852-6", in Flaherty, ed. Essays in the History of Canadian Law. vol. 2. Toronto: UTP, 1983, 143-99.

-----"From the Types Riot to the Rebellion: Elite Ideology, Anti-Legal Sentiment, Political Violence, and the Rule of Law in Upper Canada." OH, 79, 2 (June, 1987), 113-44.

Saunders, R.E. "What Was the Family Compact?", in J.K. Johnson, ed. Historical Essays on Upper Canada. Toronto: M & S, 1975, 122-39.

Smith, David E. "Patronage in Britain and Canada: An Historical Perspective." JCS, 22, 2 (Summer, 1987), 34-53.

Swainson, Donald. "Sir Henry Smith and the Politics of the Union." OH, 64, 3 (September 1964), 161-79.

Thompson, E.P. "Eighteenth Century English Society: Class Struggle without Class?" Social History, 3 (May, 1978).

Waite, Peter. "The Political Ideas of John A. Macdonald." in J. Hamelin, ed. Political Ideas of the Prime Ministers. Ottawa: 1969.

-----"A Point of View." in J.S. Moir, ed. Character and Circumstance: Essays in Honour of Donald Grant Creighton. Toronto: Macmillan, 1970, 225-34.

Weber, Max. "Class, Status, Party", in R.S. Neale, ed. History and Class. Oxford: Blackwell, 1983.

Whitaker, R. "Between Patronage and Bureaucracy: Democratic Politics in Transition", JCS, 22, 2 (Summer, 1987), 55-71.

Wilton-Siegel, C. "Administrative Reform: A Conservative Alternative to Responsible Government." OH, 78, 2 (June, 1986), 105-25.

Wise, S.F. "Upper Canada and the Conservative Tradition." in E.G. Firth, ed. Profiles of a Province: Studies in the History of Ontario. Toronto: Ontario Historical Society, 1967, 20-33.

VITA

NAME: George A. Davison

PLACE OF BIRTH: Hamilton, Ontario

YEAR OF BIRTH: 1955

POST-SECONDARY EDUCATION: B.A. (Honours), M.A., Carleton

RELATED WORK EXPERIENCE: Sessional Lecturer - University of Alberta, McGill University, Keyano College, University of Victoria

PUBLICATIONS: "The Hincks-Brown Rivalry and the Politics of Scandal", Ontario History, vol. 81, no. 2 (June, 1989)